

Exhibit 59

REDACTED

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA
3
4

5 -----x
6 MONIQUE RUSSELL, JASMINE RIGGINS, Civil Action No.

7 ELSA M. POWELL, and DESIRE EVANS, 18-5629

8 Plaintiffs, Honorable

Joshua D. Wolson

9 v.

10 EDUCATIONAL COMMISSION FOR FOREIGN

11 MEDICAL GRADUATES,

12 Defendants.

13 -----x

14

15

16 VIDEOTAPED DEPOSITION OF ELSA POWELL

17 Washington, D.C.

18 Friday, September 6, 2019

19

20

21

22

23 GOLKOW LITIGATION SERVICES

24 T 877.370.3377 | F 917.591.5672

25 deps@golkow.com

Page 2		Page 4
1	1	INDEX OF EXAMINATION
2	2	
3	3	EXAMINATION OF ELSA POWELL
4	4	BY MS. MCENROE 7
5	5	BY MR. CERYES 109
6	6	
7	7	
8	8	
9	9	
10	10	
11	The following is the transcript of the	
12	videotaped deposition of ELSA POWELL held at the	
13	offices of Morgan, Lewis & Bockius, LLP, 1111	
14	Pennsylvania Avenue, NW, Washington, DC 20004.	
15		
16		
17		
18		
19	Reported by: Linda S. Kinkade, RDR CRR RMR RPR CSR	
20	Registered Diplomate Reporter, Nationally Certified	
21	Realtime Reporter, Registered Professional Reporter	
22	with Merit Distinction, Certified Shorthand Reporter	
23	(CA), Notary Public, within and for the District of	
24	Columbia, and official duly authorized to administer	
25	oaths and/or affirmations.	
Page 3		Page 5
1	A P P E A R A N C E S:	E X H I B I T S
2		
3	On Behalf of Plaintiffs MONIQUE RUSSELL, JASMINE	
4	RIGGINS, ELSA M. POWELL, and DESIRE EVANS:	
5	Schochor, Federico and Staton, P.A.	
6	1211 St. Paul Street	
7	Baltimore, Maryland 21202	
8	(410) 234-1000	
9	By: Brent Ceryes, Esq.	
10		
11		
12		
13	On Behalf of Defendant EDUCATIONAL COMMISSION FOR	
14	FOREIGN MEDICAL GRADUATES:	
15	Morgan, Lewis & Bockius, LLP	
16	1701 Market Street	
17	Philadelphia, Pennsylvania 19103	
18	(215) 963-5609	
19	By: Elisa P. McEnroe, Esq.	
20	By: Matthew D. Klayman, Esq.	
21		
22		
23	Also present:	
24	Crystal Strawbridge, Videographer	
25		

Page 6	Page 8
<p>1 P R O C E E D I N G S</p> <p>2 VIDEO SPECIALIST: We are now on the</p> <p>3 record. My name is Crystal Strawbridge. I'm a</p> <p>4 videographer for Golkow Litigation Services. Today's</p> <p>5 date is September 6th, 2019. The time is 9:32 a.m.</p> <p>6 This deposition is being held at 1111</p> <p>7 Pennsylvania Avenue, Northwest, Washington, D.C., in</p> <p>8 the matter of Monique Russell, et al. v. Educational</p> <p>9 Commission for Foreign Medical Graduates, Civil</p> <p>10 Action No. 18-5629, for the United States District</p> <p>11 Court for the Eastern District of Pennsylvania. The</p> <p>12 deponent is Elsa Powell.</p> <p>13 Will counsel please identify themselves?</p> <p>14 MR. CERYES: Brent Ceryes on behalf of the</p> <p>15 plaintiffs.</p> <p>16 MS. MCENROE: Good morning. Elisa McEnroe</p> <p>17 for Morgan, Lewis & Bockius on behalf of the</p> <p>18 Educational Commission for Foreign Medical Graduates,</p> <p>19 and together with me today I have my colleague, Matt</p> <p>20 Klayman.</p> <p>21 VIDEO SPECIALIST: The court reporter</p> <p>22 today is Linda Kinkade and will now swear in the</p> <p>23 witness.</p> <p>24 //</p> <p>25 //</p>	<p>1 that correct?</p> <p>2 A. Yes, ma'am.</p> <p>3 Q. Was that in the Dimensions lawsuit in</p> <p>4 Maryland?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. Have you ever been deposed otherwise?</p> <p>7 A. No, ma'am.</p> <p>8 Q. So you may remember from that deposition</p> <p>9 that the way it works is that I'll ask you some</p> <p>10 questions, and I'll ask that you answer them. Do you</p> <p>11 understand that?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. And it works best if I get to get my full</p> <p>14 questions out and you get to get your full answers</p> <p>15 out so we're not talking on top of each other. Does</p> <p>16 that make sense?</p> <p>17 A. Yes, ma'am.</p> <p>18 Q. If at any time today you don't understand</p> <p>19 my question or you find it confusing, please let me</p> <p>20 know. I'd be happy to restate it. If you do answer</p> <p>21 the question, I'm going to assume that you understood</p> <p>22 it. Does that make sense?</p> <p>23 A. Yes, ma'am.</p> <p>24 Q. Because of the allegations in the lawsuit,</p> <p>25 some of the questions today may be a bit personal or</p>
<p style="text-align: center;">Page 7</p> <p>1 ELSA POWELL,</p> <p>2 having been first duly sworn and/or</p> <p>3 affirmed on her oath, was thereafter examined and</p> <p>4 testified as follows:</p> <p>5 EXAMINATION</p> <p>6 BY MS. MCENROE:</p> <p>7 Q. Good morning, Ms. Powell.</p> <p>8 A. Good morning, ma'am.</p> <p>9 Q. For the record, could you just state your</p> <p>10 complete name for me?</p> <p>11 A. Elsa Miguelina Powell.</p> <p>12 Q. And is it correct that your birthday is</p> <p>13 [REDACTED]</p> <p>14 A. That's correct.</p> <p>15 Q. And that makes you [REDACTED] years old today?</p> <p>16 A. That's correct.</p> <p>17 Q. You understand that I'm here because you</p> <p>18 have filed a lawsuit against the Educational</p> <p>19 Commission for Foreign Medical Graduates; is that</p> <p>20 correct?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. And we'll be taking your deposition today.</p> <p>23 Do you understand that?</p> <p>24 A. Yes, ma'am.</p> <p>25 Q. And you've been deposed once before; is</p>	<p style="text-align: center;">Page 9</p> <p>1 sensitive. If you need to take a break or a moment,</p> <p>2 just let me know, and I'm happy to do that as needed.</p> <p>3 I just ask that, if there's a question that's</p> <p>4 pending, that you answer the question before we take</p> <p>5 a break. Does that make sense?</p> <p>6 A. Yes, ma'am.</p> <p>7 Q. We just discussed a moment ago that you</p> <p>8 were deposed in the Dimensions lawsuit in Maryland;</p> <p>9 right?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. Do you remember when that took place?</p> <p>12 A. 2017, '18, around there.</p> <p>13 Q. If -- if I told you the deposition was on</p> <p>14 March 27th, 2019, would that refresh your</p> <p>15 recollection?</p> <p>16 A. No, ma'am.</p> <p>17 Q. Okay. And why is that?</p> <p>18 MR. CERYES: Objection, form, foundation.</p> <p>19 MS. MCENROE: I can restate it.</p> <p>20 Q. Do you believe that it happened earlier</p> <p>21 than that, your deposition?</p> <p>22 A. Yes, ma'am, 2019.</p> <p>23 Q. In 2019? Okay.</p> <p>24 A. Yes.</p> <p>25 Q. And sitting here today, do you believe</p>

Page 10	Page 12
1 that the answers you gave during that deposition were 2 true and correct? 3 A. Yes, ma'am. 4 Q. And you stand by the answers you gave at 5 that deposition? 6 A. Yes, ma'am. 7 Q. So that will help us speed things along a 8 little bit today. 9 So I'm not going to necessarily ask you 10 everything they asked you in that deposition, so, for 11 example, about your employment or education 12 background, but if there's anything today that, as 13 I'm asking you questions, you remember that you 14 testified previously inaccurately for any reason, 15 please let us know, because, otherwise, we're going 16 to take those past answers as having been correct. 17 Do you understand? 18 A. Yes, ma'am. 19 Q. Is there any reason you can't tell the 20 truth today? 21 A. No reason at all. 22 Q. Any medication that would impair your 23 ability to understand or answer my questions? 24 A. No, ma'am. 25 Q. Has your name always been Elsa Powell, or	1 A. Lucy Mercedes, she is 14; Nestor Mercedes, 2 he's 13; Josiah Rodriguez, he's 9; Jaiden Powell, he 3 is 4, soon to be 5; and Tatiana Powell, she is 3. 4 Q. Does Mr. Powell have any other children? 5 A. No, ma'am. 6 Q. Do all five of your children live with 7 you? 8 A. Yes, ma'am. 9 Q. Is Jaiden in school? 10 A. Yes, he is. 11 Q. In pre-K or kindergarten? 12 A. Pre-K. 13 Q. And does Tatiana go to daycare? 14 A. No. 15 Q. Okay. How does she get cared for during 16 the day? 17 A. I take care of her. 18 Q. Do you work from home? 19 A. I work overnights. 20 Q. Who is home with the children overnight 21 while you're working? 22 A. Sometimes my husband; sometimes my oldest 23 child. 24 Q. That would be Lucy? 25 A. Yes.
Page 11	Page 13
1 did you have another name before you got married? 2 A. I had another name. 3 Q. What was that name? 4 A. Delvilllar-Mejia. 5 Q. That was the last name? 6 A. Yes. 7 Q. And was that hyphenated? 8 A. Yes. 9 Q. And have you used any other names besides 10 those we just discussed? 11 A. No, ma'am. 12 Q. And am I correct to assume that you 13 changed your name because you got married? 14 A. Correct. 15 Q. Do I have it right that you were married 16 in January 2015? 17 A. That's correct. 18 Q. To Gregory Lamont Powell? 19 A. That's correct. 20 Q. Is he still your husband today? 21 A. Yes, ma'am. 22 Q. How many children do you have? 23 A. I have five children. 24 Q. Would you please tell me their names and 25 ages?	1 Q. Are your kids good sleepers? 2 A. Yes. 3 Q. That makes it easier. 4 A. It does. 5 Q. You said you work overnights. What are 6 your typical hours of your shifts? 7 A. I work 2100 hours to 05. 8 Q. So if my math is correct -- 9 A. Nine to 5 -- 9 p.m. to 5 a.m. 10 Q. Thank you. 9 p.m. to 5 a.m.? 11 A. Yes. 12 Q. Where do you work? 13 A. NIH Bethesda. 14 Q. How long have you worked at NIH Bethesda? 15 A. One year and three months. 16 Q. What do you do there? 17 A. I'm in admin. I do admin for the security 18 company, Paragon Systems. 19 Q. Is that the security company for the 20 building that you're working in? 21 A. It's for the whole entire campus. 22 Q. For the whole camp -- 23 A. Yes. 24 Q. It's an NIH campus? 25 A. Yes.

Page 14	Page 16
<p>1 Q. You say you do admin. Just very briefly 2 what does that entail?</p> <p>3 A. Contact officers, when we have call-outs, 4 I cover those shifts, answer phones, do daily 5 reports, sometimes give officer breaks, 6 administrative work.</p> <p>7 Q. And when you say you step in for shifts 8 sometimes, that's acting as a security guard?</p> <p>9 A. Yes, acting lieutenant.</p> <p>10 Q. Are the shifts you do from 9 p.m. to 5 11 a.m. Monday through Friday?</p> <p>12 A. Yes.</p> <p>13 Q. Do you do shifts on the weekend ever?</p> <p>14 A. No.</p> <p>15 Q. Is it a regular set schedule so you expect 16 that you will be working Monday through Friday for 17 those times?</p> <p>18 A. Yes.</p> <p>19 Q. How far do you live from where you work?</p> <p>20 A. Forty-five minutes without traffic.</p> <p>21 Q. Is there usually traffic?</p> <p>22 A. Not around that time, unless there's an 23 accident or a game, FedExField.</p> <p>24 Q. So you usually expect it will take you 25 about 45 minutes to get to and from work?</p>	<p>1 Q. A day or at a time are you saying?</p> <p>2 A. A day.</p> <p>3 Q. And how -- how long have you been holding 4 that kind of schedule?</p> <p>5 A. For a year and three months.</p> <p>6 Q. When did Jaiden start in pre-K?</p> <p>7 A. Pre-K? He started last year, early pre-K, 8 put him in early entry pre-K so he could get the 9 experience.</p> <p>10 Q. Prior to that who was caring for him?</p> <p>11 A. I was.</p> <p>12 Q. Were you working night shifts at that same 13 time?</p> <p>14 A. No.</p> <p>15 Q. So were you working at all or were you 16 home with him? I mean, being home with him is work, 17 so I don't mean to say that, but were you working 18 outside the home in addition?</p> <p>19 A. No. I was a stay-at-home mom because 20 Tatiana was born with a kidney issue, so I was taking 21 care of her.</p> <p>22 Q. So you were home with both of them?</p> <p>23 A. Yes.</p> <p>24 Q. What kind of kidney issue was Tatiana born 25 with?</p>
Page 15	Page 17
<p>1 A. Uh-huh.</p> <p>2 Q. Each way?</p> <p>3 A. Yes.</p> <p>4 Q. So usually you'll leave around 8 p.m. and 5 get home around 6 a.m.?</p> <p>6 A. Yes.</p> <p>7 Q. Is that fair?</p> <p>8 A. Mm-hmm.</p> <p>9 Q. What time does Tatiana wake up?</p> <p>10 A. She wakes up around 9 to 10 in the 11 morning.</p> <p>12 Q. And what time is bedtime at your house for 13 the kids?</p> <p>14 A. Nine, 9 to 9:30.</p> <p>15 Q. Nine to 9:30 p.m.?</p> <p>16 A. Yes.</p> <p>17 Q. Does Tatiana nap?</p> <p>18 A. No.</p> <p>19 Q. When do you sleep during your usual 20 schedule?</p> <p>21 A. On the weekends. Honestly, on the 22 weekends.</p> <p>23 Q. What -- how much sleep do you -- do you 24 estimate you get during the workweek?</p> <p>25 A. Sometimes 30 minutes, 45 minutes.</p>	<p>1 A. She was born with a dilated kidney.</p> <p>2 Q. And I'm not a medical person, so what does 3 that mean, just in basic terms?</p> <p>4 A. One kidney was bigger than the other one 5 because it was filled with, like, fluids and stuff.</p> <p>6 Q. That's something you said she was born 7 with?</p> <p>8 A. Yes.</p> <p>9 Q. Has she been able to be treated for that?</p> <p>10 A. Yes. She received surgery and everything.</p> <p>11 Q. How is she doing now?</p> <p>12 A. She's doing good. Thank you.</p> <p>13 Q. When did she have her surgery?</p> <p>14 A. April of 2017.</p> <p>15 Q. Will she require more surgeries or 16 treatments for this kidney problem?</p> <p>17 A. Just exams, MRIs and MAG3 scans, 18 ultrasounds.</p> <p>19 Q. How frequently would you say she goes in 20 for medical care?</p> <p>21 A. Due to the kidney, at first it was 22 every -- every two weeks, but then after the surgery 23 it was every six months.</p> <p>24 Q. Is she going to a specialist or her 25 regular pediatrician for the follow-up care?</p>

Page 18	Page 20
1 A. A specialist.	1 Do I have your address correct, 12705 Live Oak
2 Q. Does she also go to a regular	2 Place, Upper Marlboro, Maryland?
3 pediatrician?	3 A. Yes.
4 A. Yes, she does.	4 Q. I may have said that a little bit off, but
5 Q. Is that a general practitioner, family	5 that's the right address?
6 medicine kind of person?	6 A. Yes, it is.
7 A. Kaiser.	7 Q. Okay. Did you graduate from high school?
8 Q. Do your other children get medical care?	8 A. Yes, I did.
9 A. Yes.	9 Q. Have you gone to any school after that?
10 Q. Do they see a pediatrician as well?	10 A. I went to college, Everest and Kaplan
11 A. Yes.	11 University.
12 Q. Is Lucy still seeing a pediatrician?	12 Q. Did you get a degree?
13 A. Yes, she is.	13 A. Unfortunately, I was unable to finish.
14 Q. Is she seeing an obstetrician/gynecologist	14 Mommy duties first.
15 as well?	15 Q. How much do you have left?
16 A. I haven't taken her yet, but -- I just	16 A. I only had six months left.
17 don't feel comfortable taking her yet. It's	17 Q. When did you stop attending school?
18 something that we have talked about.	18 A. 2013, '14.
19 Q. And, again, she's 14, right?	19 Q. And you referred to it as "mommy duties"
20 A. Yes.	20 taking you out of school, so tell me about which
21 Q. What grade is she in?	21 child joined you that you -- or how that worked that
22 A. She's in high school. She's in ninth	22 you ended up leaving school?
23 grade.	23 A. I was working. I was working two jobs to
24 Q. She just started high school?	24 take care of, at the time, three children, so I
25 A. (Nodding head up and down.)	25 had --
Page 19	Page 21
1 Q. This week?	1 Q. That was when you had Lucy, Angel and
2 A. Yes.	2 Josiah?
3 Q. Do Tatiana, Jaiden, Josiah, Nestor and	3 A. Correct.
4 Lucy all go to the same pediatrician?	4 Q. You said you were working two jobs. What
5 A. No. Josiah goes to Children's in Clinton,	5 jobs were you working then when you were also taking
6 because he has a different insurance than what they	6 care of your three children?
7 have. And then Jaiden and Angel, they have the same	7 A. I was a concierge in D.C., and I was also
8 pediatrician. And then Lucy and Tatiana have the	8 doing hair on the side, hairdresser.
9 same pediatrician.	9 Q. At a salon or in people's homes?
10 Q. And you referred to one of your children	10 A. In a salon, which is owned by Nestor and
11 as "Angel." Which one of your children do you call	11 Lucy's grandmother.
12 Angel?	12 Q. When, compared to that timing, did you get
13 A. Oh, I'm sorry. Nestor. I'm so sorry.	13 a certificate for being a security guard?
14 Q. No, no reason to apologize, but Nestor	14 A. I got that around 2010. I was working at
15 also goes by Angel sometimes?	15 Howard University as a security guard on the campus,
16 A. Yes. That's his middle name.	16 and then I got my SPO and started working at George
17 Q. And I'm sorry to be a little forward about	17 Washington Hospital.
18 this, but these five children are yours. Did you	18 Q. You used the acronym "SPO." What does
19 birth each of them?	19 that stand for?
20 A. Yes, I did.	20 A. Special police officer.
21 Q. Okay. I just wanted to make sure I	21 Q. So am I correct that -- you said that was
22 understood whether I needed to come to you in a	22 in 2010, so that was before the time that you left
23 different way.	23 Everest and Kaplan from going to school, so that was
24 Do I have your address correct, 12 -- sorry.	24 before you were working, like you said, the two jobs,
25 I'm going to start over with the number.	25 working doing hair and as a concierge in D.C.?

	Page 22	Page 24
1	A. Yes.	A. Yes.
2	Q. When did you switch to being a stay-at-home mom?	Q. And you have full-time care, then, responsibility for them as well?
3	A. After I had Jaiden in 2014.	A. Yes.
4	Q. Was it immediately after having Jaiden?	Q. And I think I had asked but just to confirm, Lucy, Angel and Josiah are all in school as well?
5	A. Yes.	A. Correct.
6	Q. Had you been working while you were pregnant with Jaiden?	Q. How do they get to and from school? Do they take a school bus?
7	A. Yes, I did.	A. Lucy takes a school bus. I drop and pick up Nestor, Josiah and Jaiden.
8	Q. In -- in what job?	Q. And does that involve taking Tatiana with you to go do drop-offs?
9	A. Concierge in D.C.	A. Sometimes it does when her father is not home.
10	Q. Were you still working at the salon?	Q. For pick-ups as well?
11	A. No.	A. Yes.
12	Q. So it was just the one job as a concierge in D.C. --	Q. And how far is Angel and Josiah's school from where you live?
13	A. Yes.	A. Angel and Josiah's school, from where I live, is about 20 to 25 minutes --
14	Q. -- while you were pregnant with Jaiden?	Q. And how --
15	A. Yes.	A. -- without traffic.
16	Q. When did you make the decision you wanted to switch to be a stay-at-home mom?	Q. And how far is Jaiden's pre-K from their
17	A. After I had Jaiden, I didn't have any help, so with a newborn and then three other children, I had no choice but to stop working.	
18	Q. Does Mr. Powell work?	
19	A. Yes.	
20		
	Page 23	Page 25
1	Q. What is his job?	school?
2	A. He's a Prince George's County police officer.	A. Five minutes.
3	Q. What kind of schedule does he work?	Q. So do you do that in sort of one trip; you go drop all the kiddoes off at school?
4	A. Crazy schedule. Sometimes he -- he works evenings for four days, and sometimes he works day work for four days or five days. Then every three to four months he works midnights for a whole month.	A. Yes.
5	Q. Is his job shift work as well, so he'll know he's on a certain time and he's off a certain time --	Q. I think in the Dimensions litigation you testified about working for a company called MVM; is that correct?
6	A. Yes.	A. (Nodding head up and down.)
7	Q. -- when he gets his schedule?	Q. How is that related, if at all, to the job you have at NIH?
8	A. Yes. He gets his schedule for the whole entire year.	A. MVM -- I started with MVM at NIH. So the contract was almost over, so Paragon took over.
9	Q. Oh, all at once?	Q. Did your job responsibilities change between when it shifted from MVM to Paragon?
10	A. All at once, yeah.	A. Nope. Same duties, same shift, same schedule.
11	Q. How long has he been a police officer?	Q. So the answers you gave in the Dimensions litigation about your job would still hold true today?
12	A. Six years.	A. Correct.
13	Q. Is that the entire -- that's through the whole time you've been married he's been a police officer?	Q. When were you most recently seen by a doctor for anything?
14	A. Yes.	A. About two or three months ago.
15	Q. Do you have full custody of Lucy, Angel and Josiah?	Q. For what?

	Page 26		Page 28
1	A. I was having [REDACTED].	1	most recently treated by a doctor?
2	Q. In like your [REDACTED]?	2	A. After that I saw Emily Lo, which is my --
3	A. On my -- [REDACTED] a little bit up from my [REDACTED]	3	was my primary. I had a [REDACTED]
4	[REDACTED]	4	[REDACTED]
5	Q. Yeah.	5	Q. Is that the treatment that you discussed
6	A. So they said I had an [REDACTED].	6	at your last deposition you got cough medicine for?
7	Q. Did you have to have any treatment for	7	A. Yes.
8	that?	8	Q. Prior to that, do you remember when you
9	A. Ibuprofen. They mostly recommended	9	last went to a primary care physician or any doctor?
10	ibuprofen and, of course, take it easy. Iron	10	A. Prior to that I was at the emergency room
11	tablets, because I also suffer from low iron, and	11	at Southern Maryland because I was having [REDACTED]
12	it's called -- something called thalassemia alpha	12	[REDACTED] They said I had an [REDACTED]
13	trait.	13	Q. Do you know [REDACTED] they were
14	Q. Do you know what that was for?	14	saying it was?
15	A. It's something that I've always had. You	15	A. No. I never followed up.
16	have -- your blood cells, low blood cells, yeah.	16	Q. Did that pain stop?
17	Q. You say that's something you've always	17	A. Yes.
18	had, since you were a child?	18	Q. Do you still have that pain today?
19	A. Yes.	19	A. No.
20	Q. And is that a medication you've taken	20	Q. Do you recall any other visits to the
21	since you were a child?	21	emergency room you've ever made for yourself?
22	A. Well, they mainly recommend to take iron	22	A. No. Besides that one, no.
23	tablets.	23	Q. Aside from any times you may have been in
24	Q. Besides the medications you just	24	the hospital when you were delivering your children,
25	described, do you take any other medications?	25	do you remember ever being hospitalized?
	Page 27		Page 29
1	A. No.	1	A. No, just when I delivered the children.
2	Q. Besides going in two to three months ago	2	Q. Did you deliver each of your children in a
3	when you were [REDACTED]	3	hospital?
4	[REDACTED]	4	A. Yes.
5	checkups?	5	Q. Was each of your children delivered by an
6	A. No.	6	OB/GYN?
7	Q. Do you have a primary care physician?	7	A. Yes.
8	A. Yes.	8	Q. And when I say OB/GYN, you know what I'm
9	Q. Who is that?	9	talking about, an obstetrician/gynecologist?
10	A. It was Emily Lo, but they've changed her,	10	A. Yes, I do.
11	and, honestly, I do not remember her name, the new	11	Q. It would be easier if I could say the
12	one that I have. I haven't seen her yet.	12	shorter one. Thank you.
13	Q. Do you plan to go see her?	13	Have you ever been treated by or seen a
14	A. No.	14	midwife or a doula?
15	Q. When you went in two to three months ago	15	A. No.
16	because [REDACTED]	16	Q. Do you know what a midwife or a doula --
17	[REDACTED] he [REDACTED]	17	do you know what they are?
18	emergency room?	18	A. Yes.
19	A. I went to Kaiser Urgent Care.	19	Q. Do you currently have an OB/GYN?
20	Q. Were you admitted to the hospital?	20	A. Yes, I do.
21	A. No.	21	Q. Who is that?
22	Q. Were you released the same day?	22	A. Honestly, I do not know her name.
23	A. Yes.	23	Q. Is that -- is that through Kaiser?
24	Q. Prior to that visit to the Kaiser Urgent	24	A. Yes. I haven't seen her yet.
25	Care, do you remember the time before that you were	25	Q. It's a woman?

	Page 30	Page 32
1	A. From what my primary care physician said,	1 Q. What kind of birth control was that?
2	yes, it's a woman.	2 A. -- when I got pregnant with Jaiden. I was
3	Q. When you said your primary care physician	3 on the depo shot.
4	said, is that Emily Lo?	4 Q. Did you continue on that treatment after
5	A. No, it's the new lady I have. I haven't	5 you had Jaiden?
6	seen her yet either.	6 A. No.
7	Q. You haven't seen her, but have you spoken	7 Q. Did you switch to a different kind of
8	to her?	8 birth control, or did you come off of birth control?
9	A. I have messaged her --	9 A. I came off birth control.
10	Q. Tell --	10 Q. Have you ever received treatment from a
11	A. -- through the Kaiser app.	11 psychologist or a psychiatrist?
12	Q. Tell me a little bit about your messages	12 A. No.
13	with the primary care physician.	13 Q. Have you ever --
14	A. When I got discharged from Urgent Care,	14 A. I never went to see one, no.
15	they did some scans, and they said they were going to	15 Q. Have you ever gotten treatment from any
16	send it to her. A couple days passed by, I didn't	16 sort of counselor?
17	hear anything, so I sent her a couple messages.	17 A. No.
18	That's when she finally wrote back and said	18 Q. Generally speaking, how do you choose your
19	that, you know, [REDACTED] and I had	19 doctors?
20	to take it easy. If the pain came back, take	20 A. Kaiser chooses them, and sometimes I could
21	ibuprofen, and if the symptoms get worse, to contact	21 switch, but I don't because, like I said, I don't go
22	her and go see her. And that's when she said that I	22 see them unless I'm seriously injured or seriously in
23	have to go see an OB/GYN, because also I have	23 pain.
24	[REDACTED] which she was concerned about.	24 Q. You said Kaiser chooses them. Is Kaiser
25	[REDACTED]	25 your insurance company?
		
	Page 33	
1	A. Yes.	
2	Q. Is that insurance that you have through	
3	your or your husband's employment?	
4	A. My husband's employment.	
5	Q. When did you get on to your husband's	
6	Kaiser insurance?	
7	A. In 2015.	
8	Q. Upon getting married?	
9	A. Yes.	
10	Q. Did you have insurance before that?	
11	A. Yes, I did.	
12	Q. What insurance did you have then?	
13	A. It was through the state, Medicaid.	
14	Q. So just trying to understand the timing of	
15	getting on to Kaiser insurance as compared to your --	
16	the birth of your children, did you switch to Kaiser	
17	insurance while you were pregnant with Jaiden?	
18	A. No.	
19	Q. Can you explain that to me, how that	
20	timing worked?	
21	A. I had Medicaid when I was pregnant with	
22	Jaiden. Then once I got married, my husband put the	
23	children and I on Kaiser.	
24	Q. That was after you had Jaiden?	
25	A. After I had Jaiden, correct.	

Page 34	Page 36
<p>1 Q. Thank you for straightening out my 2 timeline. 3 Where did you deliver Tatiana? 4 A. Holy Cross, Montgomery -- Montgomery 5 County. 6 Q. Who was your OB/GYN who delivered Tatiana? 7 A. Mr. Kingsley. It was through Kaiser. 8 Q. Is he the doctor you saw for any prenatal 9 care for her? 10 A. Yes. 11 Q. And you sought prenatal care while you 12 were pregnant with Tatiana? 13 A. Yes. 14 Q. How regularly? 15 A. First it was every -- every two to three 16 weeks, and then every -- once I got to, like, six 17 months or so, it was every -- every often. 18 Q. When they told you to come? 19 A. Yes. 20 Q. And you saw Dr. Kingsley for ultrasounds, 21 physical exams, that sort of thing? 22 A. Yes. Correct. 23 Q. How did you select Dr. Kingsley as your 24 OB/GYN? 25 A. I went to Kaiser when I first found out I</p>	<p>1 A. No. 2 Q. When you first started going to see 3 Dr. Kingsley, did you check out his résumé or his 4 credentials, anything like that? 5 A. Yes, I did my research. 6 Q. What -- 7 A. Kaiser has a website which tells you his 8 experience and stuff like that, every hospital that 9 he has worked on. 10 Q. And did you do research into his 11 certifications or education? 12 A. No, because Kaiser had all that laid out 13 on their website. 14 Q. So fair to say you checked out what Kaiser 15 had? 16 A. What Kaiser had. 17 Q. You mentioned that Kaiser -- with Kaiser, 18 you're able to ask to switch doctors -- 19 A. Yes. 20 Q. -- in some -- have you ever done that? 21 A. No. 22 Q. When you had Medicaid, did you ever ask to 23 switch doctors? 24 A. No. 25 Q. When you had Medicaid, how was it that you</p>
<p style="text-align: center;">Page 35</p> <p>1 was pregnant, and he was the one that, you know, did 2 all the exam and stuff, and then I just kept him from 3 there. 4 Q. And you stuck with him from there? 5 A. Mm-hmm. 6 Q. And did he do post-delivery treatment for 7 you after you had Tatiana? 8 A. Yes. 9 Q. When did you last see Dr. Kingsley? 10 A. For my six-weeks checkup, and then that 11 was it. 12 Q. So you went to your six-week checkup? 13 A. Mm-hmm. 14 Q. That's a yes? 15 A. Yes. I'm sorry. Yes. 16 Q. How old was Tatiana when her kidney issue 17 sort of presented itself, when you found out she had 18 a kidney problem? 19 A. I was pregnant when they detected it. 20 Q. Oh, you knew when you were pregnant? 21 A. Mm-hmm. Yes. I was eight months pregnant 22 when they detected it. 23 Q. Aside from Tatiana's kidney issue, have 24 any of your other children had any health issues 25 other than broken bones or normal kid stuff?</p>	<p style="text-align: center;">Page 37</p> <p>1 went about finding a doctor? 2 A. They have a list of doctors nearby, so I 3 chose the one that was closer to where I lived. 4 Q. Would it be fair to say they have certain 5 doctors that are considered like in network or that 6 you can -- you're sort of covered if you go see them? 7 A. Yes. 8 Q. And you said you -- you selected those 9 doctors by proximity, how close they were to you? 10 A. Yes. 11 Q. Did you do any other research other than 12 figuring out how close they were to you? 13 A. No. 14 Q. How did you know where they were located 15 about whether they were close to you or not? 16 A. The address. 17 Q. So did the list that was provided to you 18 include their addresses? 19 A. Yes. 20 Q. Fair to say that, when you had Medicaid, 21 you did nothing other than look at the list that 22 Medicaid provided to you with the names and addresses 23 of the doctors available to you? 24 A. Correct. 25 Q. Do you remember who your OB/GYN was who</p>

Page 38	Page 40
<p>1 delivered Lucy? It was a long time ago.</p> <p>2 A. It was in Manassas, Virginia, but I do not</p> <p>3 remember.</p> <p>4 Q. Was it a man OB/GYN or a woman OB/GYN?</p> <p>5 A. I -- Jesus Christ. I do not remember,</p> <p>6 honestly.</p> <p>7 Q. Okay. But it was -- it was an OB/GYN,</p> <p>8 though, who delivered you then?</p> <p>9 A. Yes, yes.</p> <p>10 Q. Did you have a different doctor to deliver</p> <p>11 Angel?</p> <p>12 A. Yes. That was in Fairfax County, and I do</p> <p>13 not remember. I do not remember. Josiah, he was a</p> <p>14 male.</p> <p>15 Q. The OB/GYN was a male?</p> <p>16 A. Yes.</p> <p>17 Q. And where was he located, generally</p> <p>18 speaking?</p> <p>19 A. In Arlington, Virginia hospital.</p> <p>20 Q. How did you come to select your OB/GYN to</p> <p>21 deliver Jaiden?</p> <p>22 A. So I was seeing the lady -- it was a lady</p> <p>23 at first on Saint Barnabas Road, which was close to</p> <p>24 where I lived at the time. So after I became six</p> <p>25 months, she said that she had to refer me to another</p>	<p>1 A. Yes, his office.</p> <p>2 Q. So just tell me a little bit about how</p> <p>3 that works. Did you call up to make an appointment</p> <p>4 at Dr. Chaudhry's practice? Did the lady OB/GYN call</p> <p>5 for you and make appointments, or how did that</p> <p>6 transition happen, if you remember?</p> <p>7 A. She gave me the referral. I called up</p> <p>8 there and made an appointment. So when I got to my</p> <p>9 appointment, they said that Dr. Chaudhry had to step</p> <p>10 out, but Dr. Akoda was there. So I said, that's</p> <p>11 fine, I just need to get care, I don't care who I</p> <p>12 see. I was at my last stage of pregnancy.</p> <p>13 Q. You were about six months, you said?</p> <p>14 A. About six months, yes. So then that's</p> <p>15 when I saw Dr. Akoda, and then all my regular</p> <p>16 visits -- two weeks after that, every two weeks.</p> <p>17 Q. Starting every two weeks?</p> <p>18 A. Yes.</p> <p>19 Q. Where did those visits take place?</p> <p>20 A. At Dr. Chaudhry's office in District</p> <p>21 Heights.</p> <p>22 Q. Prior to going to Dr. Chaudhry's practice,</p> <p>23 did you do any research into him, Dr. Chaudhry?</p> <p>24 A. No.</p> <p>25 Q. Can you tell me just a little bit about</p>
Page 39	Page 41
<p>1 doctor's office, because that's when she stopped</p> <p>2 seeing patients.</p> <p>3 Q. You said it was a lady, so it was a female</p> <p>4 OB/GYN?</p> <p>5 A. Yes.</p> <p>6 Q. Did she refer you to another doctor?</p> <p>7 A. Yes.</p> <p>8 Q. To whom did she refer you?</p> <p>9 A. Dr. Chaudhry.</p> <p>10 Q. Is Dr. Chaudhry an OB/GYN?</p> <p>11 A. Yes.</p> <p>12 Q. Where is he located?</p> <p>13 A. In District Heights.</p> <p>14 Q. How close to you is that?</p> <p>15 A. At the time where I lived, it was about 15</p> <p>16 minutes.</p> <p>17 Q. Did you move at some point since then?</p> <p>18 A. Yes, I did.</p> <p>19 Q. Have you moved more than once since then?</p> <p>20 A. Since then, yes.</p> <p>21 Q. And so did you actually ever go see</p> <p>22 Dr. Chaudhry?</p> <p>23 A. I did not see Dr. Chaudhry. He was never</p> <p>24 in there. I saw Dr. Akoda.</p> <p>25 Q. Did you go to Dr. Chaudhry's practice?</p>	<p>1 what Dr. Chaudhry's practice looked like? Is there a</p> <p>2 reception area, a waiting room, that kind of thing?</p> <p>3 A. There was a waiting -- a waiting room, and</p> <p>4 then on the left-hand side, it's the entrance, and</p> <p>5 then there's the receptionist, and then on the</p> <p>6 right-hand side is the rooms, the examination rooms.</p> <p>7 Q. Were there nurses or other medical</p> <p>8 professionals who worked there as well as the</p> <p>9 doctors?</p> <p>10 A. Nurses. There was nurses.</p> <p>11 Q. Did you see other patients there while you</p> <p>12 were there?</p> <p>13 A. Yes.</p> <p>14 Q. In the waiting room?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Aside from Dr. Akoda, were you ever</p> <p>17 treated by any other physician at Dr. Chaudhry's</p> <p>18 practice?</p> <p>19 A. No.</p> <p>20 Q. So you said it started out with Dr. Akoda</p> <p>21 that your appointments were about every two weeks?</p> <p>22 A. Yes.</p> <p>23 Q. At some point did that become more</p> <p>24 frequent?</p> <p>25 A. When I got closer to my due date.</p>

	Page 42	Page 44
1	Q. They began weekly?	1 A. It was hours.
2	A. Yes.	2 Q. Hours?
3	Q. Did your labor with Jaiden begin	3 A. It was hours, and induced me on the 16th
4	naturally?	4 and he wasn't born until the 17th, so about -- tell
5	A. Yes. I was induced.	5 you, it was more than nine, ten hours.
6	Q. Who induced you?	6 Q. Nine to ten hours of labor? Did you have
7	A. Dr. Akoda.	7 an epidural?
8	Q. Where?	8 A. Yes, I did.
9	A. PGH hospital.	9 Q. Did it work?
10	Q. Did you have an appointment for that?	10 A. Yes.
11	A. Yes.	11 Q. Who was your treating physician while you
12	Q. Why?	12 were in labor?
13	A. Because from my understanding that was the	13 A. It was -- I know Dr. Akoda was there, and
14	policy. You had to make an appointment to get	14 there was another lady in there. I do not remember.
15	induced.	15 Q. Another physician?
16	Q. How far along were you when you were	16 A. Yeah -- no, it's the nurse.
17	induced, do you recall?	17 Q. Oh, the nurse.
18	A. I was almost nine months, eight and a half	18 A. The nurses. It was two nurses and
19	to nine.	19 Dr. Akoda.
20	Q. Do you remember if there was a medical	20 Q. Did you have an anesthesiologist come and
21	reason that you needed to get induced?	21 place the epidural?
22	A. No.	22 A. Yes.
23	Q. So is it fair to say that you had an	23 Q. And that was a different doctor?
24	appointment to get induced and then you showed up at	24 A. Yes.
25	PGH hospital then to actually be induced --	25 Q. Do you remember if that was a lady or a
	Page 43	Page 45
1	A. Yes.	1 man doctor?
2	Q. -- at the time of your appointment?	2 A. That was a man doctor.
3	A. Yes.	3 Q. Were you able to deliver Jaiden vaginally?
4	Q. And at the time of your appointment, did	4 A. Yes.
5	you expect it would be Dr. Akoda who would be doing	5 Q. Have you ever had to have a C-section for
6	the induction?	6 any of your deliveries?
7	A. I honestly didn't know who was coming, if	7 A. No.
8	it was Chaudhry or Akoda.	8 Q. Have you ever had complications from any
9	Q. Sure.	9 of your deliveries?
10	A. Yeah, just...	10 A. Yes.
11	Q. But either of those two from that	11 Q. Tell me about that.
12	practice?	12 A. So after I had Jaiden, my bleeding was
13	A. Yes.	13 really heavy. I had to change my -- the padding
14	Q. Have you ever been treated by	14 every three to five seconds, and it was going through
15	Dr. Chaudhry?	15 the sheets and everything. So I had texted a friend
16	A. No.	16 who was also being seen at Dr. Chaudhry's office, and
17	Q. Have you ever seen Dr. Chaudhry in person?	17 I had sent her a picture.
18	A. I saw him going out the door, but that --	18 I said, I don't think this is normal, because
19	that was it.	19 it was blood clots as well. It was bigger than
20	Q. Did you ever meet him?	20 normal blood clots. So that's when she said, it's
21	A. Just saw him going out the door. I never	21 not, you need to tell the nurse that she needs to get
22	actually, you know, met, hey, doctor, no.	22 the doctor in there as soon as possible.
23	Q. How long was your labor with Jaiden?	23 So that's when I told the nurse, and she
24	A. Ooh.	24 called the doctor, Dr. Akoda. He came in, and he
25	Q. Sorry for needing to ask, but...	25 kept saying, I'm sorry, I should have detected it

Page 46	Page 48
<p>1 sooner, I'm so sorry, we're getting the O.R. ready 2 for you. So they rushed me to the O.R. 3 Next thing you know, I woke up with tubes 4 everywhere, and I was just crying. I didn't know -- 5 I was concerned about my baby. I didn't know what 6 was going on, why was I bleeding, why these blood 7 clots were so huge. I just -- I didn't know.</p> <p>8 Q. Did this take place while you were at PGH 9 hospital?</p> <p>10 A. Yes.</p> <p>11 Q. Was -- how long in time was it after you 12 had delivered Jaiden?</p> <p>13 A. It was about two or three after I had him.</p> <p>14 Q. Two to three hours, so it was that same 15 day?</p> <p>16 A. Uh-huh, it was the same day.</p> <p>17 Q. Do you remember what time of day you 18 delivered Jaiden?</p> <p>19 A. Actually I do not remember what time.</p> <p>20 Q. Sure. Who was the friend that you texted?</p> <p>21 A. Her name is Tisa. I call her Tisa, 22 Latisa.</p> <p>23 Q. Latisa?</p> <p>24 A. Latisa.</p> <p>25 Q. What's her last name?</p>	<p>1 A. He was the one who removed the bandages at 2 the hospital.</p> <p>3 Q. After the surgery?</p> <p>4 A. After the surgery.</p> <p>5 Q. Okay. Where were the bandages?</p> <p>6 A. In -- inside me.</p> <p>7 Q. Inside your vaginal canal?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. But they didn't have to cut open 10 your abdomen at all?</p> <p>11 A. No.</p> <p>12 Q. Okay. And, I'm sorry, you -- you had said 13 that after you were released from the hospital, then 14 your post-delivery recovery from Jaiden was normal?</p> <p>15 A. Mm-hmm.</p> <p>16 Q. Is that a yes?</p> <p>17 A. Yes.</p> <p>18 Q. Did Jaiden have any complications from his 19 delivery?</p> <p>20 A. No.</p> <p>21 Q. Was Jaiden a good eater?</p> <p>22 A. Picky eater.</p> <p>23 Q. Well, as an infant, was he breastfed?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And how did he do with feeding?</p>
Page 47	Page 49
<p>1 A. Gaymon.</p> <p>2 Q. Does it start with a G?</p> <p>3 A. G, yes.</p> <p>4 Q. So you -- you had the bleeding and the 5 blood clots that you found to be troubling, and you 6 told a nurse then?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And the nurse went and got 9 Dr. Akoda; is that right?</p> <p>10 A. Yes.</p> <p>11 Q. And Dr. Akoda came and he took you to 12 surgery?</p> <p>13 A. Yes.</p> <p>14 Q. Do you know who conducted the surgery for 15 you?</p> <p>16 A. It was Dr. Akoda.</p> <p>17 Q. How long were you in the hospital after 18 you delivered Jaiden?</p> <p>19 A. Three days. Two to three days.</p> <p>20 Q. After the surgery that you had from 21 Dr. Akoda after delivering Jaiden, how was your 22 recovery?</p> <p>23 A. You know what? The recovery was fine. I 24 did meet Dr. Chaudhry.</p> <p>25 Q. Tell me about that.</p>	<p>1 A. Lasted about two weeks, and then he would 2 just take Similac.</p> <p>3 Q. He wanted to switch to formula?</p> <p>4 A. Yes.</p> <p>5 Q. And bottles?</p> <p>6 A. Yes.</p> <p>7 Q. And how was he as a sleeper after 8 delivery?</p> <p>9 A. A good sleeper.</p> <p>10 Q. Did you breastfeed all your children?</p> <p>11 A. Yes.</p> <p>12 Q. How long did you breastfeed Tatiana for?</p> <p>13 A. Seven months.</p> <p>14 Q. Aside from the bleeding and the clots that 15 you had after delivering Jaiden, did you have any 16 other concerns about your delivery of Jaiden?</p> <p>17 A. I did. Because, like I said, I'm [REDACTED] [REDACTED] [REDACTED]</p> <p>21 Q. Did you ask?</p> <p>22 A. I did, but I never got the answer.</p> <p>23 Q. When you say you asked, who did you ask?</p> <p>24 A. I asked Dr. Akoda.</p> <p>25 Q. While you were in the hospital?</p>

	Page 50	Page 52
1	A. Yes.	1 Q. So it wasn't the first time you went to
2	Q. Do you know if you signed a consent form	2 see Dr. Akoda that this happened?
3	to get a blood transfusion?	3 A. It wasn't the first time, no.
4	A. I don't remember, honestly.	4 Q. And you went a couple times before that
5	Q. Do you know if they talked to you about	5 had happened?
6	getting a blood transfusion before you went into	6 A. Correct.
7	labor?	7 Q. Okay. You said he would examine your
8	A. I don't remember.	8 breasts. Do you mean like a breast exam?
9	Q. Any other concerns unrelated to the	9 A. Yes.
10	bleeding and the clotting issue from your delivery	10 Q. Palpitating your breasts, feeling for
11	with Jaiden?	11 lumps, that kind of thing?
12	A. Not after the delivery.	12 A. Correct.
13	Q. Okay. What about during the delivery?	13 Q. The first time that you said Dr. Akoda
14	A. During, no.	14 began being flirtatious, following that, is that when
15	Q. Or before delivery?	15 you asked to have a nurse present for your next
16	A. Before, no.	16 examination?
17	Q. Let's get back to your prenatal care for	17 A. Yes.
18	Jaiden. You were going about once every two weeks	18 Q. So was it one time that this happened with
19	once you were six months pregnant to see Dr. Akoda;	19 Dr. Akoda when you were alone with him?
20	is that correct?	20 A. No, it was a few times.
21	A. Correct.	21 Q. So were you seen by Dr. Akoda alone after
22	Q. And that was always at Dr. Chaudhry's	22 you had requested to have a nurse present?
23	medical practice?	23 A. At first, yes. She would step out of the
24	A. Correct.	24 room, and then I wouldn't see her. But then I said
25	Q. Was that in a private exam room?	25 something again to the front desk requesting a nurse,
	Page 51	Page 53
1	A. Yes.	1 and from that point on, every time I saw him, there
2	Q. Would you first get seen by a nurse for	2 was a nurse present.
3	like blood pressure and weight and that kind of	3 Q. Do you remember, did they have female
4	stuff?	4 nurses, male nurses accommodation?
5	A. Yes.	5 A. Female.
6	Q. And then when -- you would be taken back,	6 Q. All female nurses?
7	and you would see Dr. Akoda?	7 A. It was all female nurses.
8	A. Correct.	8 Q. Was that true both for your prenatal care
9	Q. Was a nurse with you for those	9 and for your delivery, they were all female nurses?
10	examinations by Dr. Akoda?	10 A. Yes.
11	A. No.	11 Q. At any point after you said Dr. Akoda
12	Q. Okay. Sometimes yes, sometimes no, or	12 became flirtatious, did you ask to be seen instead by
13	always no?	13 a different OB/GYN?
14	A. At first no. Then after I requested one	14 A. No.
15	to be there.	15 Q. Other than the comments to you in
16	Q. And when did you request to have a nurse	16 connection with the breast exams, did Dr. Akoda do or
17	present with your examinations of Dr. Akoda?	17 say anything else that you felt was flirtatious?
18	A. When Dr. Akoda was starting being very	18 A. No, that was it.
19	flirtatious.	19 Q. And by "flirtatious" I also mean sexual
20	Q. When was that?	20 in any way. Do you understand that?
21	A. He would do -- examine my breasts and	21 A. Yes.
22	stuff and make comments about I have nice breasts and	22 Q. Okay. So the answer is still no?
23	stuff like that. So then I felt uncomfortable. That	23 A. Still no.
24	was -- I was eight months pregnant at that time,	24 MS. MCENROE: We've been going just about
25	seven and a half to eight.	25 an hour. It might be a good time for a little break,

Page 54	Page 56
<p>1 if that's okay.</p> <p>2 THE WITNESS: If that's what you guys want</p> <p>3 to do. I mean, I'm fine.</p> <p>4 MS. MCENROE: That sounds good. Let's</p> <p>5 take a quick break.</p> <p>6 MR. CERYES: Okay.</p> <p>7 VIDEO SPECIALIST: We're going off the</p> <p>8 record at 10:26.</p> <p>9 (Proceedings recessed.)</p> <p>10 VIDEO SPECIALIST: We're back on the</p> <p>11 record at 10:36.</p> <p>12 BY MS. MCENROE:</p> <p>13 Q. Ms. Powell, what, if anything, did you do</p> <p>14 to prepare for today's deposition?</p> <p>15 A. Just be here.</p> <p>16 Q. Did you review any documents in advance of</p> <p>17 today for your deposition?</p> <p>18 A. Yes, I did.</p> <p>19 Q. What did you review?</p> <p>20 A. For starters, the address.</p> <p>21 Q. That's good. Anything else?</p> <p>22 A. I had to remember again what ECFG [sic]</p> <p>23 was.</p> <p>24 Q. Anything else?</p> <p>25 A. That's -- that's mainly -- mainly what I</p>	<p>1 Q. Have you seen this deposition notice</p> <p>2 before?</p> <p>3 A. Yes.</p> <p>4 Q. Is that what you reviewed?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Aside from this amended notice of</p> <p>7 deposition, did you review anything else in</p> <p>8 preparation for your deposition today?</p> <p>9 A. No.</p> <p>10 Q. Did you look up any information on the</p> <p>11 Internet in preparation for today's deposition?</p> <p>12 A. No.</p> <p>13 Q. Did you speak with anyone to prepare for</p> <p>14 today's deposition?</p> <p>15 A. No.</p> <p>16 MR. CERYES: You can share the fact -- if</p> <p>17 we discussed, you can share the fact that we had</p> <p>18 communications, just not --</p> <p>19 A. That's including my lawyer?</p> <p>20 Q. Correct.</p> <p>21 A. Oh, okay.</p> <p>22 Q. So not what you said to one another, but</p> <p>23 just the fact of having spoken with counsel.</p> <p>24 A. Oh, yes, my attorney.</p> <p>25 Q. And who did you speak with?</p>
<p style="text-align: center;">Page 55</p> <p>1 was --</p> <p>2 Q. And what do you mean you had to remind</p> <p>3 yourself what ECFMG is?</p> <p>4 A. Because I didn't know at first who you</p> <p>5 guys were.</p> <p>6 Q. And how did you remind yourself what ECFMG</p> <p>7 is?</p> <p>8 A. I looked -- I looked it up, how the</p> <p>9 documentation had said that I had from my lawyer.</p> <p>10 Q. What documentation?</p> <p>11 A. The deposition.</p> <p>12 Q. Was that your deposition from the</p> <p>13 Dimensions litigation?</p> <p>14 A. No. It was the one that my lawyer had</p> <p>15 sent me of where to come and who I was going to meet.</p> <p>16 Q. Okay.</p> <p>17 (Exhibit 1 marked for</p> <p>18 identification: Amended Notice of</p> <p>19 Deposition of Plaintiff Elsa Powell)</p> <p>20 BY MS. MCENROE:</p> <p>21 Q. I'd like to hand you what I'm marking as</p> <p>22 Exhibit 1 -- that was a good toss -- which you'll see</p> <p>23 at the top says Amended Notice of Deposition of Elsa</p> <p>24 Powell. Do you see that?</p> <p>25 A. Yes.</p>	<p style="text-align: center;">Page 57</p> <p>1 A. My attorney.</p> <p>2 Q. And is that Brent sitting next to you?</p> <p>3 A. Mr. Brent, yes, that's correct.</p> <p>4 Q. And did you speak to him in person or on</p> <p>5 the telephone?</p> <p>6 A. In person and the telephone.</p> <p>7 Q. How long was that for?</p> <p>8 A. In person? A good 25, 30 minutes.</p> <p>9 Q. And on the telephone?</p> <p>10 A. Forty minutes.</p> <p>11 Q. When did those conversations take place?</p> <p>12 A. Yesterday.</p> <p>13 Q. Both the in person and the telephone?</p> <p>14 A. No, the one in person was today.</p> <p>15 Q. This morning?</p> <p>16 A. Yes, this morning.</p> <p>17 Q. Okay. Great. Thank you. Here?</p> <p>18 A. Yes.</p> <p>19 Q. How did you first meet your counsel?</p> <p>20 A. It was a meeting that we had about the</p> <p>21 Akoda case once I've learned what was going on.</p> <p>22 Q. When you say it was a meeting that you</p> <p>23 had, was that an in-person meeting?</p> <p>24 A. It was an in-person meeting, yes, with a</p> <p>25 group of young ladies.</p>

Page 58	Page 60
1 Q. So there were other clients there in 2 addition to yourself? 3 A. Yes. 4 Q. And some lawyers as well? 5 A. Correct. 6 Q. Do you know any of the other ladies who 7 were there with you? 8 A. Just one. 9 Q. Who was that? 10 A. My friend, Latisa. 11 Q. Would Gaymon sound correct for her name? 12 A. Yes. 13 Q. G-A-Y-M-O-N? 14 A. Yes. 15 Q. Is that who you also texted when you were 16 bleeding after delivering Jaiden? 17 A. Correct. 18 Q. Aside from Ms. Gaymon, did you know any of 19 the other ladies who were also meeting with counsel? 20 A. No. 21 Q. Approximately how long did that meeting 22 last? 23 A. About two hours or so. 24 Q. Do you remember when that was? 25 A. No, it's -- it's -- it's been like around	1 and the -- as you described them, the group of 2 ladies? 3 A. No, it's just us. 4 Q. How did you know to be at that meeting? 5 A. My friend told me about it. 6 Q. Had you spoken to any lawyers before you 7 went to that meeting? 8 A. No. 9 Q. Did you speak to any lawyers at that 10 meeting? 11 A. Yes. 12 Q. Who did you speak to? 13 A. I do not remember. 14 Q. Did you hire counsel at that meeting? 15 A. Yes. 16 Q. Did you sign anything at that meeting? 17 A. Yes. 18 Q. Do you have a copy of what you signed in 19 that meeting? 20 A. Not with -- no, not on me, no. 21 Q. Not necessarily with you, but do you have 22 a copy of it? 23 A. No. 24 Q. When you were going to that meeting, do 25 you know what you thought the purpose of the meeting
Page 59	Page 61
1 2017 or so. 2 Q. Was that before you filed any lawsuits? 3 A. Yes. 4 Q. Had you hired counsel by then? 5 A. No. I wasn't aware of what was going on 6 by then. 7 Q. Can you estimate how many ladies were in 8 the group who were at that meeting with counsel? 9 A. I wouldn't know to tell you. It was -- 10 Q. Was it closer to four or 20 or -- 11 A. No, it was -- it was about -- more than 20 12 or so. 13 Q. Did you have any other more group meetings 14 with counsel like that? 15 A. No. 16 Q. Where did that meeting take place? 17 A. It was a hotel lobby, but I -- not lobby 18 but conference area, but I don't remember the exact 19 name. 20 Q. Aside from the group of ladies who were 21 there, you mentioned counsel was there as well? 22 A. Correct. 23 Q. How many lawyers were there? 24 A. A good four or five. 25 Q. Was anyone else there besides the lawyers	1 was? 2 A. Yes. 3 Q. What did you think the purpose of the 4 meeting was going to be? 5 A. Learn more information about how the 6 doctor that I thought was a real doctor unfortunately 7 wasn't who he said he was or what his name was. 8 Q. Is that Dr. Akoda you're talking about? 9 A. That's correct. 10 Q. Is that in fact what you learned at the 11 meeting? 12 A. That's -- 13 MR. CERYES: Object. I think we're 14 starting to get into the substance of what was 15 discussed at that meeting. So I'm going to advise 16 you not to answer that question. 17 BY MS. MCENROE: 18 Q. Let me restate it a different way, or I'll 19 just ask a different question actually. 20 So how did you come to have the expectation 21 that that was what you were going to hear about at 22 the meeting? 23 A. Because my friend had actually told me, 24 and she had learned it through a TV ad. So I said, I 25 don't believe it, I don't -- this has got to be some

Page 62	Page 64
<p>1 kind of joke. That's when she said was like, well, 2 they're having a meeting. If you don't believe me, 3 we can attend the meeting. I'm sure you can get the 4 information that you're so confused about.</p> <p>5 Q. Did you ever see the TV ad Ms. Gaymon was 6 referring to?</p> <p>7 A. No.</p> <p>8 Q. Was it Ms. Gaymon you were just talking 9 about?</p> <p>10 A. Correct.</p> <p>11 Q. Did you ever hear any radio ads?</p> <p>12 A. After the fact, yes.</p> <p>13 Q. When you say "after the fact," you mean 14 after this meeting?</p> <p>15 A. After the meeting.</p> <p>16 Q. What did the radio ad say?</p> <p>17 A. It was -- whatchamacallit -- the radio -- 18 not the radio -- the radio station, not a -- not like 19 an ad, the radio station. They were talking about 20 how there was a doctor who was delivering children, 21 and come to find out that he lied about his identity, 22 and they were talking about that.</p> <p>23 So that's when I had called my friend Tisa. I 24 was like, wow, it's everywhere. I -- I still can't 25 believe it.</p>	<p>1 be burned. And he did the procedure right there at 2 Dr. Chaudhry's office.</p> <p>3 Q. In the office?</p> <p>4 A. Yes.</p> <p>5 Q. Did you have any complications from having 6 the ovarian cyst treated?</p> <p>7 A. Just -- it was irritation and pain, but 8 that was it.</p> <p>9 Q. And how long did that irritation and pain 10 last after the procedure?</p> <p>11 A. Three to four -- three to four days.</p> <p>12 Q. Three to four days? Okay. Following the 13 treatment of that ovarian cyst, did you get treatment 14 or have an examination by Dr. Akoda after that?</p> <p>15 A. After that, no.</p> <p>16 Q. Did you see any obstetricians or 17 gynecologists between then and then when you were 18 again pregnant with Tatiana?</p> <p>19 A. No.</p> <p>20 Q. Did you see any obstetricians or 21 gynecologists between when you delivered Lucy and 22 finished that postnatal care and when you became 23 pregnant with Angel?</p> <p>24 A. No.</p> <p>25 Q. Did you see any obstetricians or</p>
<p style="text-align: center;">Page 63</p> <p>1 Q. Had you seen or heard any other news media 2 coverage about Dr. Akoda?</p> <p>3 A. Online I did.</p> <p>4 Q. What did you see?</p> <p>5 A. I saw how they were talking about his real 6 name wasn't Akoda, and that he had lied and was being 7 charged with security fraud.</p> <p>8 Q. Social Security fraud?</p> <p>9 A. Social Security fraud, yes.</p> <p>10 Q. Any other news coverage that you saw or 11 heard?</p> <p>12 A. That was it. After that, I didn't want to 13 see anything else.</p> <p>14 Q. When did Ms. Gaymon first contact you 15 regarding these allegations about Dr. Akoda?</p> <p>16 A. I don't know the specific day or month, 17 but I know it was in 2017.</p> <p>18 Q. What year was Jaiden born again?</p> <p>19 A. 2014.</p> <p>20 Q. Okay. Following Jaiden's delivery, did 21 you do post-delivery care with Dr. Akoda?</p> <p>22 A. I sure did.</p> <p>23 Q. Okay. For how long? Until when?</p> <p>24 A. My -- I did my six-weeks checkup. He had 25 said that I had an ovarian cyst and that it needed to</p>	<p style="text-align: center;">Page 65</p> <p>1 gynecologists between when you were done with your 2 postnatal care from Angel and when you became 3 pregnant with Josiah?</p> <p>4 A. No, I --</p> <p>5 Q. Did you see any OB/GYNs between when you 6 finished your post -- postnatal care of Josiah and 7 when you became pregnant with Jaiden?</p> <p>8 A. No.</p> <p>9 Q. How did you become friends with 10 Ms. Gaymon?</p> <p>11 A. I met her at the doctor's office, my 12 OB/GYN, when I found out I was pregnant with Jaiden. 13 I do not remember her name, but it was at the office 14 on Saint Barnabas Road.</p> <p>15 Q. With the woman OB/GYN, correct?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And she was pregnant at the same 18 time you were pregnant?</p> <p>19 A. Correct.</p> <p>20 Q. Did she then go on, do you know, to switch 21 to Dr. Chaudhry's practice around the time you did as 22 well?</p> <p>23 A. Yes.</p> <p>24 Q. Did you guys talk about that?</p> <p>25 A. Yes, we did.</p>

Page 66	Page 68
<p>1 Q. What did you talk about?</p> <p>2 A. I told her that they had changed me over</p> <p>3 to Dr. Chaudhry's office, but I wasn't too happy</p> <p>4 because I didn't want to deliver Jaiden at PGH with</p> <p>5 all the negative reviews that I had heard from PGH.</p> <p>6 So that's when she said, well, I'm delivering there</p> <p>7 too, so you're not alone.</p> <p>8 And our dates were different, doctor's</p> <p>9 appointments were different, so I would call her and</p> <p>10 say, hey, I saw Dr. Akoda. And she was like, oh, I'm</p> <p>11 going next week, okay, we'll follow up next week.</p> <p>12 But eventually we went weeks without speaking</p> <p>13 until I had called her and told her I was in labor.</p> <p>14 And then she went to see me afterwards.</p> <p>15 Q. Did she come to see you in the hospital?</p> <p>16 A. Yes.</p> <p>17 Q. Was she still pregnant or had she had her</p> <p>18 baby?</p> <p>19 A. She was still pregnant.</p> <p>20 Q. Did she deliver a healthy baby?</p> <p>21 A. Yes.</p> <p>22 Q. And did Dr. Akoda deliver her baby, do you</p> <p>23 know?</p> <p>24 A. Yes.</p> <p>25 Q. Did she have a boy or a girl?</p>	<p>1 Q. So did you have anyone else with you</p> <p>2 supporting you in the hospital when you had Jaiden?</p> <p>3 A. No.</p> <p>4 Q. Okay. Was he with nurses when you had</p> <p>5 your surgery?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And then when did Latisha come to</p> <p>8 you -- or did I say that wrong? I'm sorry,</p> <p>9 Ms. Gaymon. Stick with Ms. Gaymon.</p> <p>10 A. It was a couple hours. It was -- it was</p> <p>11 later, later that day.</p> <p>12 Q. How long did she stay with you in the</p> <p>13 hospital?</p> <p>14 A. About 45 minutes to an hour.</p> <p>15 Q. Did you have any other visitors when you</p> <p>16 were in the hospital having delivered Jaiden?</p> <p>17 A. No.</p> <p>18 Q. Do you have any family members living</p> <p>19 nearby, your mom, your dad, siblings?</p> <p>20 A. No. They're all in Massachusetts.</p> <p>21 Q. Oh, they all live in Massachusetts?</p> <p>22 A. Yes.</p> <p>23 Q. Do you have siblings?</p> <p>24 A. No -- in Massachusetts. They are all in</p> <p>25 Massachusetts.</p>
Page 67	Page 69
<p>1 A. A girl.</p> <p>2 Q. How long after you had Jaiden?</p> <p>3 A. A week after I had Jaiden.</p> <p>4 Q. So pretty close in time?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Did you guys overlap in the hospital at</p> <p>7 all?</p> <p>8 A. No.</p> <p>9 Q. And did she actually deliver at PGH?</p> <p>10 A. Yes.</p> <p>11 Q. When did she come visit you in the</p> <p>12 hospital?</p> <p>13 A. The -- right after I had my surgery, a</p> <p>14 couple hours after I had my surgery.</p> <p>15 Q. When you were in recovery?</p> <p>16 A. Yes.</p> <p>17 Q. By the way, how was Jaiden when you saw</p> <p>18 him after your surgery?</p> <p>19 A. It was good seeing him. He was sleeping.</p> <p>20 It was really nice.</p> <p>21 Q. Good. Yeah. And was your husband in the</p> <p>22 hospital with you as well?</p> <p>23 A. No.</p> <p>24 Q. Was he working?</p> <p>25 A. No. We weren't together at that time.</p>	<p>1 Q. Do you have brothers and sisters, though?</p> <p>2 A. Six brothers.</p> <p>3 Q. Six brothers?</p> <p>4 A. Yes.</p> <p>5 Q. They all live in Massachusetts?</p> <p>6 A. Yes.</p> <p>7 Q. Do they have any children?</p> <p>8 A. Yes, they do.</p> <p>9 Q. Do you get up there to see them?</p> <p>10 A. Sometimes, when I can.</p> <p>11 Q. Are your parents still living?</p> <p>12 A. Yes.</p> <p>13 Q. And -- and they live in Massachusetts?</p> <p>14 A. My father lives in Massachusetts. My</p> <p>15 mother lives in Florida.</p> <p>16 Q. Did either of them come to visit you after</p> <p>17 you had Jaiden?</p> <p>18 A. No.</p> <p>19 Q. When you went home after having delivered</p> <p>20 Jaiden, was there anyone there to help you?</p> <p>21 A. My children and my neighbor.</p> <p>22 Q. And who is your neighbor?</p> <p>23 A. Lord, what's her name? I do not remember</p> <p>24 her name. I just -- Peterson is her last name, but I</p> <p>25 do not remember her name.</p>

	Page 70		Page 72
1	Q. Ms. Peterson came to help you some?	1	experiences with Dr. Akoda?
2	A. Yes.	2	A. She spoke about her cesarean because she
3	Q. And what kind of help did she provide?	3	had a cesarean, and that's when I said I've never had
4	A. She was the one who took care of the	4	a cesarean, and that was the conversation.
5	children while I was in the hospital.	5	Q. Do you know how her recovery went after
6	Q. Did she stay to help after you came home	6	her C-section?
7	with Jaiden?	7	A. Not really. Honestly, not really.
8	A. Yes, because she was literally my	8	Q. Do you know if she talked to you about any
9	next-door neighbor.	9	infection or scarring, anything like that?
10	Q. Did she stay over to help so that you	10	A. No.
11	could sleep --	11	Q. Does she have other children, do you know,
12	A. Yes.	12	other than that daughter?
13	Q. -- and take a shower?	13	A. Yes, she has two older children.
14	A. Yes.	14	Q. Before she had that daughter?
15	Q. How much time do you think Ms. Peterson	15	A. Yes.
16	spent at your home after you had Jaiden?	16	Q. Do you know if she's had any children
17	A. Probably about -- I'd say about an hour or	17	since?
18	two a day.	18	A. No, she has not.
19	Q. For -- for how long did that go on, do you	19	Q. You said that you guys got together about
20	think?	20	six or seven months after your -- Jaiden and her
21	A. For the first -- first two weeks. Or, if	21	daughter had been born. Do you know if you saw each
22	I needed her, I went over to her house.	22	other then thereafter, before you had the meeting
23	Q. At some point after you had Jaiden did you	23	with counsel we talked about earlier?
24	and Mr. Powell get together or move into the same	24	A. Yes, we did.
25	home?	25	Q. About how frequently?
	Page 71		Page 73
1	A. Not aft- -- until we got married.	1	A. Not frequently.
2	Q. So how long was it that you got married	2	Q. For about how many times?
3	after you had Jaiden?	3	A. How many times after that? I would say
4	A. Let's see. I had Jaiden in September '14.	4	about four to five.
5	We got married in January 2015. It was a couple	5	Q. Were those of a social nature, those
6	months.	6	meetings?
7	Q. Did he help with any of the child care	7	A. Yes, gatherings at my house from kids'
8	responsibilities before you got married?	8	birthday parties, stuff like that.
9	A. No.	9	Q. Aside from seeing each other, would you
10	Q. Does he help with any child care	10	stay in touch over social media or texting, anything
11	responsibilities now?	11	of the like?
12	A. Yes.	12	A. Yes.
13	Q. We were talking about Ms. Gaymon had a	13	Q. Okay. How?
14	baby girl, healthy baby girl, about a week after you	14	A. Facebook. And she would text me time to
15	had Jaiden; is that right?	15	time and see how I'm doing, see how the kids are
16	A. Yes.	16	doing, and to tell me she's -- Maddie, which is her
17	Q. Does she live nearby where you live, or at	17	daughter that she had -- Maddie is asking when she's
18	least at the time did she?	18	going to see Jaiden and when she's going to come
19	A. No. At the time she lived, let's see -- I	19	over.
20	lived in Temple Hills. She lived in Fort Washington.	20	Q. Is Maddie a healthy kid, from what you
21	So it was probably 30, 40 minutes away from me.	21	know?
22	Q. Did you visit with one another after you	22	A. Yes.
23	both had your babies?	23	Q. What name do you use on Facebook?
24	A. Like six -- six or seven months after.	24	A. Miguella Powell.
25	Q. And did you talk at all about your birth	25	Q. Miguella Powell? So your -- your current

Page 74	Page 76
1 middle name and last name? 2 A. My nickname. 3 Q. Oh, you go by -- is that your nickname? 4 A. Yes. Because my father's name is Miguel, 5 so everybody calls me Miguella. 6 Q. Do you use any other social media? 7 [REDACTED] 8 [REDACTED] 9 [REDACTED] 10 [REDACTED] 11 [REDACTED] number. 12 Q. Okay. And is that your cell phone number? 13 A. Yes. 14 Q. And what is that number? 15 [REDACTED] 16 [REDACTED] 17 A. No. 18 Q. Do you have any blogs? 19 A. No. 20 Q. Do you do any other sort of journaling? 21 A. No. I barely have time to sleep. 22 Do you have any hard-copy journals you keep? 23 A. No. I barely have time to sleep. 24 Q. You mentioned that Ms. Gaymon was the	1 A. No. 2 Q. Did she tell you what station it was on? 3 A. No. 4 Q. What was her mood like when she called 5 you? 6 A. Shocked. 7 Q. Do you know anyone else other than 8 Ms. Gaymon who was treated or examined by Dr. Akoda? 9 A. No. 10 Q. Did you become friends with anyone else in 11 the waiting room of any of your OB/GYNs? 12 A. No. 13 Q. And we covered this, I think, but you 14 delivered Jaiden vaginally, correct? 15 A. Correct. 16 Q. And Ms. Gaymon had a C-section? 17 A. Correct. 18 Q. Do you know if your birthing experiences 19 were similar? 20 MR. CERYES: Objection, form, foundation. 21 You can answer to the extent you know and 22 understand the question. 23 A. I don't know. 24 Q. Okay. So you had a vaginal delivery and 25 she had a C-section?
Page 75	Page 77
1 first one to be in touch with you to talk about the 2 allegations about Dr. Akoda and his identity; is that 3 correct? 4 A. That's correct. 5 Q. How was she first in touch with you about 6 that? 7 A. She called me. 8 Q. On the telephone? 9 A. Yes. 10 Q. What did she say? 11 A. She said, girl, you will not believe this. 12 I said, what. She was like, Dr. Akoda is not who he 13 said he is. I said, you're lying. She's like, no, 14 I'm not lying. I said, girl, I don't believe you, 15 whatever. So she said, if you don't believe me, 16 there's going to be a meeting that you can go and see 17 it for yourself, so... 18 Q. Was that just one conversation before you 19 then went to the meeting with counsel? 20 A. Yes. 21 Q. Do you know how she found out? 22 A. She said she -- through an ad. 23 Q. On the television? 24 A. On the television. 25 Q. Did she describe that ad to you?	1 A. Yes. 2 Q. So I'm just asking if you think that your 3 delivery experiences with Dr. Akoda were similar. 4 MR. CERYES: Same objection. 5 A. I don't -- I don't -- I don't know, 6 honestly. I thought mine was harsh. I don't know 7 what she went through. 8 Q. You mean your labor and delivery was -- 9 was a tough one? 10 A. Yes. 11 Q. Do you know about the experiences of any 12 of the other patients of Dr. Akoda's? 13 A. No. 14 Q. Do you know if Ms. Gaymon had the same 15 experiences with breast exams that you had with 16 Dr. Akoda? 17 A. I don't know. 18 Q. Did you talk to her about that experience? 19 A. No. 20 Q. Have you ever spoken to her about that 21 experience? 22 A. No. 23 Q. Has Ms. Gaymon ever told you that there 24 was anything flirtatious or sexual about any of her 25 interactions with Dr. Akoda?

	Page 78	Page 80
1	A. No.	1 wasn't Dr. Akoda who did the surgery. Come to find
2	Q. She has not told you that?	2 out it's -- it's some other man. I mean, how are
3	A. No, she has not.	3 they going to feel? Like, it's -- it's disturbing.
4	Q. Other than the issue of Dr. Akoda's	4 It's beyond disturbing.
5	identity, has Ms. Gaymon raised any concerns about	5 Q. Sitting here today, do you have any reason
6	Dr. Akoda's treatment of her with you?	6 to doubt that Dr. Akoda had medical training?
7	A. She hasn't told me anything, no.	7 A. Yeah. Yes, I do.
8	Q. Sitting here today, do you believe that	8 Q. You've -- you've had a number of OB/GYNs
9	Dr. Akoda is a doctor?	9 over the span of your experience in birthing
10	MR. CERYES: Objection, form, foundation.	10 children. Was there anything out of the ordinary
11	You can answer.	11 about Dr. Akoda's care of you compared to the other
12	BY MS. MCENROE:	12 OB/GYNs you've had?
13	Q. Just asking for what you -- what your	13 MR. CERYES: Objection to the extent it's
14	belief is.	14 already been answered.
15	A. My honest opinion? I don't know what to	15 But you can answer.
16	believe.	16 A. I mean, besides that he was flirtatious,
17	Q. So you don't know one way or the other?	17 and, certain extent, disrespectful because,
18	A. I don't know what -- he said his name was	18 you know --
19	Akoda, and come to find out it wasn't. I mean, I	19 Q. But I'm talking about the medical care
20	don't know what to believe.	20 itself.
21	Q. Okay. And does him using a different name	21 A. No. I mean, when you go to get checked
22	have some sort of special significance to you? What	22 out, you don't -- you don't actually focus on, you
23	is it that -- that is the problem with that?	23 know, what is he doing. I mean, I didn't go to
24	A. It's the problem --	24 medical school, so I don't know what -- what a doctor
25	MR. CERYES: Objection, form, foundation.	25 is supposed to do.
	Page 79	Page 81
1	You can answer.	1 Q. You've delivered other children before, so
2	A. Yeah, it's a problem. You told me your	2 I'm just trying to understand if in your experience,
3	name was Akoda and come to find out it's not. I	3 your treatment with Dr. Akoda -- and we've talked
4	mean, what other secrets are you hiding? I -- I	4 about the flirtatious issues -- setting that aside,
5	trusted you. You know, you touched my body. I mean,	5 the medical treatment he provided to you was
6	that's -- I thought Akoda, you know, was my doctor,	6 different or notable in some way compared to the
7	who I trusted to do my exams and -- and touch my body	7 other treatment you've had from other OB/GYNs that
8	and deliver my baby.	8 you've seen.
9	I don't -- I don't know whatever his name is.	9 A. Well, this one, yes, it was different. I
10	I don't -- it's beyond disturbing, it is. So, yeah,	10 almost -- I almost bled to death, so, yeah, it was
11	it has -- it has a lot to do with his name, because	11 definitely different --
12	it's shocking. It's disturbing. I felt violated by	12 Q. From your --
13	somebody who I don't know.	13 A. -- from other experience.
14	Q. When did you feel violated by Dr. Akoda?	14 Q. From your post-delivery birth bleeding
15	When is it that you came to feel violated, if that	15 issue?
16	makes sense?	16 A. Yeah, so definitely it was different.
17	A. When I found out that Akoda was not Akoda.	17 Q. And leading into your delivery, was any of
18	Q. When he used a different name -- that he	18 your prenatal care different, aside from the
19	had used a different name?	19 flirtatious issue?
20	A. Yeah. So I was like, who -- who -- who	20 A. No, those were not.
21	was it that was touching me, who was it that I had	21 Q. And the actual delivery experience of
22	trusted to say -- to put my -- my life on the line.	22 Jaiden, was that different from your other delivery
23	If my -- if my kids, my older kids -- if I would --	23 experiences, aside from the bleeding issue?
24	did die in that O.R. room, you know, and my kids have	24 A. No.
25	questions, and come to find out, oh, you know, it	25 Q. So it was the same --

Page 82	Page 84
1 A. Mm-hmm. 2 Q. -- as your others? Is that a yes? 3 A. Yes. 4 Q. And Dr. Akoda did a procedure on you to 5 help stop the bleeding and the clotting; is that 6 correct? 7 A. From my understanding, he removed the 8 blood clots. How, I don't know. 9 Q. Okay. 10 A. But, yeah, and then after that he put some 11 bandages to stop the bleeding. 12 Q. And it did stop the bleeding, correct? 13 A. Yes. 14 Q. Okay. Do you know one way or another 15 about whether Dr. Akoda was ever board certified in 16 obstetrics and gynecology? 17 A. No, I do not know. 18 Q. Do you know what board certification means 19 in that kind of setting? 20 A. In that kind of setting, yes. 21 Q. That they have taken extra exams and 22 passed oral and written exams? 23 A. Correct. 24 Q. Would it surprise you to learn that he was 25 board certified in obstetrics and gynecology?	[REDACTED]
	17 Q. And everything was okay with Jaiden 18 following that? 19 A. Yes. 20 Q. Okay. That was prior to you seeing 21 Dr. Akoda; is that correct? 22 A. Correct. 23 Q. Have you otherwise -- strike that. 24 Have you otherwise ever been a defendant in a 25 lawsuit?
	Page 85
1 MR. CERYES: Objection, form, foundation. 2 You can answer. 3 A. I mean, I know you have to -- to be a 4 physician, a doctor, you have to take some type of, 5 you know, classes and -- and exams and stuff, but I 6 really don't know what he had. 7 Q. Okay. Did you do any investigation into 8 his training or certification? I think we maybe 9 talked earlier that you had not; is that right? 10 A. No, I did not. 11 Q. You are a plaintiff in this lawsuit; is 12 that correct? 13 A. That's correct. 14 Q. And you are a plaintiff in the lawsuit in 15 Maryland; is that correct? 16 A. That's correct. 17 Q. Against Dimensions? 18 A. That's correct. 19 Q. Have you ever been a plaintiff in any 20 other lawsuit before? 21 A. No. [REDACTED] 25 Q. Tell me about that.	1 A. No. 2 Q. Have you ever, to your knowledge, had a 3 lawsuit threatened against you; someone told you they 4 were going to file one? 5 A. No. 6 Q. Have you ever threatened a lawsuit that 7 you did not file? 8 A. No. 9 Q. Have you ever filed a workers' 10 compensation claim? 11 A. No. 12 Q. Have you ever sought accommodations under 13 the ADA? 14 A. No. 15 Q. Americans with Disabilities Act? 16 A. No. 17 Q. Have you ever taken FMLA, Family Medical 18 Leave Act? 19 A. No. 20 Q. Did you get maternity leave or time out of 21 work for any of your other -- strike that. 22 Have you gotten maternity leave or parental 23 leave from any of your deliveries? 24 A. No. 25 Q. Have you ever been convicted of a crime?

Page 86	Page 88
<p>1 A. No.</p> <p>2 Q. Have you ever been the victim of a crime?</p> <p>3 A. No.</p> <p>4 Q. You mentioned your husband is a police</p> <p>5 officer. Does he go out into the field?</p> <p>6 A. Yes.</p> <p>7 Q. Can you describe to me what he does? Is</p> <p>8 he like a beat officer, or what does he do?</p> <p>9 A. Yes, he's a patrol officer for station 5</p> <p>10 in Clinton.</p> <p>11 Q. Does he patrol in a car, on a bike?</p> <p>12 A. A car, a cruiser.</p> <p>13 Q. Or a horse, I guess, is also an option.</p> <p>14 In a -- in a car?</p> <p>15 A. Yes, in a cruiser.</p> <p>16 Q. Has he ever been injured in the line of</p> <p>17 duty?</p> <p>18 A. Yes.</p> <p>19 Q. Can you tell me a little bit about that?</p> <p>20 A. Car -- cruiser crashed. He had some</p> <p>21 fractured ribs.</p> <p>22 Q. When was that?</p> <p>23 A. 2016? '15, '16?</p> <p>24 Q. Is he doing okay now?</p> <p>25 A. Yes. And then -- that's -- that's --</p>	<p>1 A. When I went for my six-weeks checkup.</p> <p>2 Q. Was that the first time you met Dr. Akoda?</p> <p>3 A. Who, me?</p> <p>4 Q. Oh, I'm sorry. Strike that. I was --</p> <p>5 six-month checkup is what I was thinking when you</p> <p>6 said --</p> <p>7 A. Six weeks.</p> <p>8 Q. So it was post-delivery.</p> <p>9 A. Yes.</p> <p>10 Q. Okay. So -- so let me start that over</p> <p>again.</p> <p>12 So Mr. Powell, your husband, came with you to</p> <p>13 your six-week post-delivery appointment; is that</p> <p>14 correct?</p> <p>15 A. Yes.</p> <p>16 Q. And your husband met Dr. Akoda at that</p> <p>17 time?</p> <p>18 A. Yes.</p> <p>19 Q. Did anything happen at that appointment</p> <p>20 other than you getting checked out?</p> <p>21 A. He stayed in the lobby and I went in, and</p> <p>22 that's when he burned an ovarian cyst that he said</p> <p>23 that I had.</p> <p>24 Q. So your husband waited in the waiting</p> <p>25 room?</p>
Page 87	Page 89
<p>1 that's the biggest one. Other ones are just little</p> <p>2 minor, you know, chasing a suspect and</p> <p>3 trip-and-falls, stuff like that.</p> <p>4 Q. So we'll knock on wood that we keep him</p> <p>5 that way.</p> <p>6 A. Yeah. Yes.</p> <p>7 Q. We keep him nice and safe.</p> <p>8 And has he ever gotten into any violent</p> <p>9 altercations while in the line of duty involving his</p> <p>10 firearm?</p> <p>11 A. Yes. He has been through a shooting.</p> <p>12 Q. Has he been shot?</p> <p>13 A. No. Thank God, no.</p> <p>14 Q. I'll knock on wood again.</p> <p>15 Has he been shot at in the line of duty?</p> <p>16 A. Yes.</p> <p>17 Q. Has he sought medical care?</p> <p>18 A. No.</p> <p>19 Q. Do you know if he gets any mental health</p> <p>20 treatment?</p> <p>21 A. No, he does not.</p> <p>22 Q. Did your husband, Mr. Powell, ever meet</p> <p>23 Dr. Akoda?</p> <p>24 A. Yes, he did.</p> <p>25 Q. When was that?</p>	<p>1 A. Correct.</p> <p>2 Q. And did he get to meet Dr. Akoda?</p> <p>3 A. Yes, when Dr. Akoda came -- came out.</p> <p>4 Q. At the beginning of the appointment or</p> <p>5 after the appointment?</p> <p>6 A. After the appointment.</p> <p>7 Q. Did your husband and Dr. Akoda ever speak?</p> <p>8 A. How you doing, sir, that's it.</p> <p>9 Q. Just an introduction?</p> <p>10 A. Yeah. Yes.</p> <p>11 Q. Do you have any medical doctors in your</p> <p>12 family?</p> <p>13 A. No.</p> <p>14 Q. Any of your six brothers a doctor?</p> <p>15 A. No.</p> <p>16 Q. Okay. Do you have any friends, close</p> <p>17 friends or other acquaintances who are medical</p> <p>18 doctors?</p> <p>19 A. No.</p> <p>20 Q. Do you know anyone close or sort of in</p> <p>21 passing, neighbors, friends, family, who have gone to</p> <p>22 medical school outside of the United States?</p> <p>23 A. No.</p> <p>24 Q. When did you first hear of the Educational</p> <p>25 Commission for Foreign Medical Graduates?</p>

	Page 90	Page 92
1	A. Back in 2018.	1 Russell, et al. v. Educational 2 Commission for Foreign Medical 3 Graduates)
2	Q. How?	4 BY MS. MCENROE: 5 Q. I just handed you what I marked as Exhibit 6 2. That is a copy of the complaint that was filed in 7 this lawsuit against ECFMG. Have you ever seen this 8 before? 9 A. Yes. 10 Q. Have you ever read it before? 11 A. Yes. 12 Q. Did you read it before it was filed? 13 A. Yes. 14 Q. Did you suggest any edits or changes to 15 it? 16 A. No. 17 Q. Did you sign anything relating to a 18 verification or anything like that? 19 A. Yes. 20 Q. Did you swear that it was true and 21 accurate -- 22 A. Yes. 23 Q. -- under penalty of perjury? 24 A. Yes. 25 MR. CERYES: Objection, form, foundation.
	Page 91	Page 93
1	does?	1 BY MS. MCENROE: 2 Q. Do you believe the allegations in the 3 complaint to be true? 4 A. Yes. 5 Q. Sitting here today, anything you would 6 change in the complaint now that you know what you 7 know? 8 A. No. 9 Q. In your own words, can you tell me what 10 you think ECFMG did wrong? 11 MR. CERYES: Objection to form, 12 foundation, calls for an expert opinion. 13 You can answer with respect to your 14 understanding. 15 A. Yes, I understand that they did wrong -- 16 they did wrong, allowed him to practice with a fake 17 name. 18 Q. Any more specifics about what you think 19 that ECFMG did wrong? And I don't mean this as a pop 20 quiz; I'm just trying to get your best understanding. 21 A. They -- they failed to -- to look over his 22 documentations and actually provide him with a 23 license to practice. 24 Q. I'd like to direct your attention to 25 paragraph 42. You'll see each of the -- once you get
2	A. It's for foreigners. It's pretty much a -- they give the license for foreigners from -- yeah.	
3	Q. In what kind of context?	
4	A. Medical license and stuff like that.	
5	Q. So it's your understanding that ECFMG licenses foreign medical doctors --	
6	A. Yes.	
7	Q. -- to practice medicine in the United States?	
8	A. Correct.	
9	Q. Have you ever heard of the United States Medical Licensing Examination?	
10	A. No.	
11	Q. Sometimes called USMLE?	
12	A. No.	
13	Q. We talked about just a minute ago that you are a plaintiff in this litigation against ECFMG, correct?	
14	A. Correct.	
15	Q. And you're a named plaintiff. Do you understand that?	
16	A. Yes.	
17	(Exhibit 2 marked for identification: Civil Action re	

Page 94	Page 96
<p>1 into the meat of the complaint, each paragraph has a 2 number. Do you see that? So it's on page 9, 3 paragraph 42. Let me know when you're there.</p> <p>4 A. I'm here.</p> <p>5 Q. Great. That paragraph says, "the 6 plaintiff, Elsa Powell" -- that's you?</p> <p>7 A. Correct.</p> <p>8 Q. "-- was a patient of Igberase on or about 9 September 17th, 2014, and on several occasions 10 thereafter Igberase delivered Elsa Powell's son on 11 that date at Prince George's Hospital Center."</p> <p>12 Did I read that correctly?</p> <p>13 A. That's correct.</p> <p>14 Q. And do you understand in the complaint 15 that the reference to Igberase is also Dr. Akoda?</p> <p>16 A. Unfortunately, yes.</p> <p>17 Q. Okay. But you understand that those mean 18 the same for the purposes of this complaint; is that 19 correct?</p> <p>20 A. Correct.</p> <p>21 Q. Are the -- is the information in paragraph 22 42 correct?</p> <p>23 A. That's correct.</p> <p>24 Q. I'd like to direct your attention to 25 paragraph 44, which is on the next page on the top.</p>	<p>1 A. No.</p> <p>2 MR. CERYES: Objection, form, foundation.</p> <p>3 BY MS. MCENROE:</p> <p>4 Q. Because you didn't even know ECFMG existed 5 at the time, correct?</p> <p>6 A. No. All's in my head was getting prenatal 7 care and delivering my baby.</p> <p>8 Q. A healthy -- healthy baby, healthy mommy?</p> <p>9 A. Healthy baby.</p> <p>10 Q. So is it fair to say -- it might save us 11 some time to not go through each of the paragraphs -- 12 but you -- you don't know what any of Dr. Akoda's 13 patients, other than yourself, knew or thought or 14 expected about Dr. Akoda, correct?</p> <p>15 A. That's correct.</p> <p>16 Q. Do you think you can speak on their 17 behalf?</p> <p>18 A. I mean --</p> <p>19 MR. CERYES: Objection, form, foundation.</p> <p>20 You can answer.</p> <p>21 A. We all went through similar shockness. I 22 mean, we're all going through this together. I mean, 23 I -- I can speak on behalf of them when I can tell 24 you that we all feel violated, we -- lied to, 25 disrespected.</p>
<p style="text-align: center;">Page 95</p> <p>1 It says: 2 "The plaintiffs and others similarly 3 situated chose Igberase who they 4 knew as Akoda as their 5 obstetrician/gynecologist on the 6 basis of their belief that Akoda had 7 obtained all necessary credentials 8 and certifications required of 9 physicians practicing in the 10 United States, including 11 certification from ECFMG."</p> <p>12 Did I read that correctly?</p> <p>13 A. Yes, you read it correctly.</p> <p>14 Q. Do you know on what basis others -- so not 15 yourself, but other patients of Dr. Akoda's chose him 16 as their physician?</p> <p>17 A. I can't speak on others, but I can speak 18 on myself. I didn't choose Igberase, whatever his 19 name is -- Akoda. I -- I went with the intentions of 20 seeing Dr. Chaudhry. Dr. Chaudhry was never there, 21 so pretty much I was stuck with Dr. Akoda.</p> <p>22 Q. When you started seeing Dr. Akoda as a 23 physician, did you specifically rely on the concept 24 that he had an ECFMG certification? Was that 25 something that was in your head?</p>	<p style="text-align: center;">Page 97</p> <p>1 Q. How do you know that?</p> <p>2 A. How do I know that?</p> <p>3 Q. You said we all feel this way.</p> <p>4 A. Yes.</p> <p>5 Q. How do you know that? Are you surmising 6 that you think they all should feel that way, or do 7 you actually know that that's how they feel?</p> <p>8 MR. CERYES: Objection, form.</p> <p>9 A. Anybody who get lied to feel that way, and 10 that's what in -- this case is, we've been lied to.</p> <p>11 Q. Do you have any special reason to know 12 that, or did you talk to other patients of 13 Dr. Akoda's, other than Ms. Gaymon --</p> <p>14 A. No.</p> <p>15 Q. -- to know how anyone feels?</p> <p>16 A. No, I have not.</p> <p>17 MR. CERYES: Objection, form, foundation.</p> <p>18 You can answer.</p> <p>19 BY MS. MCENROE:</p> <p>20 Q. Do you know about any consents that any of 21 Dr. Akoda's other patients may have provided for his 22 treatment of them?</p> <p>23 A. No.</p> <p>24 Q. What are you hoping to get out of this 25 lawsuit?</p>

Page 98	Page 100
<p>1 A. Some sort of -- somebody needs to be 2 accountable for what happened. 3 Q. Have you sued Dr. Akoda or Dr. Igberase? 4 A. No. 5 Q. Have you brought a medical malpractice 6 claim against him? 7 A. No. 8 Q. You did sue Dimensions, though, right? 9 A. I sure did. 10 Q. Did you review a complaint in connection 11 with the lawsuit against Dimensions? 12 A. Yes, I did. 13 Q. Do you believe that the allegations in 14 that complaint are true and correct as written? 15 A. That's correct. 16 MR. CERYES: Objection, form, foundation. 17 BY MS. MCENROE: 18 Q. What injury, if any, are you claiming in 19 this lawsuit? 20 A. What injury am I claiming in this lawsuit? 21 Well, besides the fact that I almost lost my life 22 because of a fake doctor who I thought was a doctor. 23 I don't have a peace of mind since I found out that 24 he wasn't who he said he was. 25 Q. So breaking that down, I just -- it</p>	<p>1 responses of any interrogatories in this litigation? 2 A. No. 3 Q. Did you provide any information to your 4 counsel in connection with the responses to 5 interrogatories? 6 A. No. 7 MS. MCENROE: This will be 3, and this 8 will be 4. They go together. 9 (Exhibit 3 marked for 10 identification: Plaintiff Elsa 11 Powell's Answers to First Set of 12 Interrogatories and Responses to 13 First Set of Requests for Production 14 of Documents) 15 (Exhibit 4 marked for 16 identification: Plaintiff Elsa 17 Powell's Supplemental Answers to 18 First Set of Interrogatories and 19 Supplemental Responses to First Set 20 of Requests for Production of 21 Documents) 22 BY MS. MCENROE: 23 Q. Ms. Powell, I'm handing you what I've 24 marked as Exhibits 3 and 4. Take a quick second. 25 I'm not going to quiz you on everything in there, but</p>
<p style="text-align: center;">Page 99</p> <p>1 sounded like there are two separate things that you 2 just articulated there. There was a physical concern 3 about the bleeding and clotting issue after delivery 4 of Jaiden; is that correct? 5 A. Of course. 6 Q. And then there's more of an emotional and 7 mental issue separately, then, that we talked about 8 just a second ago? 9 A. I won't say mental, but emotionally, yes. 10 Q. Okay. Have you sought any treatment or 11 help for that emotional concern? 12 A. No. 13 Q. Okay. So just so the record's clear, the 14 -- the concern for your life that you were referring 15 to, that was the post-delivery bleeding and clotting, 16 correct? 17 A. Correct. 18 Q. Have you ever heard the term 19 "interrogatory" before? 20 A. Yes, I have. 21 Q. You -- you understand that interrogatories 22 are questions that get asked in the course of 23 litigation; is that correct? 24 A. Correct. 25 Q. Did you play any role in drafting the</p>	<p style="text-align: center;">Page 101</p> <p>1 I just want to give you a minute to familiarize 2 yourself before I start asking questions. 3 So in Exhibit 3, I'd like to point you to the 4 second-to-last page in the document, the next page 5 after that. 6 MR. CERYES: In the back of that page. 7 A. Mm-hmm. 8 Q. It's double-sided. 9 A. I'm here. 10 Q. And it says "Verification" at the top. Do 11 you see that? 12 A. Mm-hmm. 13 Q. And it reads: 14 "I, Elsa Powell, hereby aver that 15 the factual statements in the 16 foregoing answers to interrogatories 17 are true and correct to the best of 18 my knowledge, information and 19 belief, and that these answers are 20 made subject to the penalties 21 relating to unsworn falsification to 22 authorities." 23 Do you see that? 24 A. Mm-hmm. 25 Q. Is that a yes?</p>

	Page 102	Page 104
1	A. Yes.	1 Q. In the Exhibit 4, that list at the back,
2	Q. Is that your signature?	2 Ms. Gaymon is listed, right, on the second page
3	A. Yes.	3 there? It's alphabetical by last name.
4	Q. Did you actually review the answers to the	4 A. Correct.
5	interrogatories before you signed this?	5 Q. Latisa Gaymon, that's the friend you've
6	A. Yes.	6 been talking about today?
7	Q. Okay. And you believed them to be true	7 A. Correct.
8	and correct?	8 Q. Correct? Okay. So you can set those
9	A. Yes.	9 aside.
10	Q. Great. So you can set Exhibit 3 aside.	10 We talked a little earlier today about the way
11	And let's look at Exhibit 4, which is a	11 that you go about choosing a medical doctor, and it's
12	supplemental set of interrogatory responses. It's	12 been different depending on the insurance you have;
13	something that happens sometimes in -- in discovery.	13 is that fair to say?
14	Toward the back of the document, there's a	14 A. Yes.
15	long list of names, but a couple pages before that is	15 Q. When you've gotten a new medical doctor,
16	another verification page. I'm hoping you can look	16 have you ever done any sort of background or criminal
17	at that with me.	17 check on them?
18	A. Mm-hmm.	18 A. Yes, if I go see them.
19	Q. And it's a verification, and it says:	19 Q. Which doctor?
20	"I, Elsa Powell, hereby aver that	20 A. My children's doctor.
21	the factual statements in the	21 Q. Your children's doctor?
22	foregoing supplemental answers to	22 A. Yes. I haven't seen my doctors yet,
23	interrogatories are true and correct	23 unless I need to, which was Ms. Em- -- Emily Lo, and
24	to the best of my knowledge,	24 I did my research on her.
25	information and belief, and that	25 Q. Right. And you did a criminal background
	Page 103	Page 105
1	these supplemental answers are made	1 check on her?
2	subject to the penalties relating to	2 A. Yes.
3	unsworn falsification to	3 Q. Okay. How did you do that?
4	authorities."	4 A. Online.
5	Did I read that correctly?	5 Q. Okay. So you Googled her?
6	A. Yes.	6 A. Mm-hmm.
7	Q. Then there's a -- it looks like maybe more	7 Q. Did you --
8	of an electronic signature or something there. Is	8 A. Yes.
9	that your signature?	9 Q. Is that a yes?
10	A. Yes.	10 Did you pay to have anyone perform an actual
11	Q. Okay. And so did you review the responses	11 criminal background check on her?
12	to the supplemental answers to interrogatories as	12 A. No.
13	well?	13 Q. Okay. Did you ask your husband to do any
14	A. Yes.	14 sort of special police check on her or anything?
15	Q. And you believed them to be true and	15 A. No.
16	accurate as written?	16 Q. Do you know if any of the doctors you've
17	A. Yes.	17 seen in the past have ever been convicted of tax
18	Q. It might save us a little bit of time.	18 fraud?
19	Are there any changes or issues or concerns	19 A. No.
20	you have about any of the interrogatory responses as	20 Q. Okay. Do you know if any of them have
21	written or supplemented?	21 ever been found to have failed to have paid their
22	A. No.	22 nannies or their housekeepers?
23	Q. Okay. So there's nothing today you'd like	23 A. No.
24	to change or amend about your discovery responses?	24 Q. Do you know if any of them have ever
25	A. No.	25 smoked pot in a place where that's not legal?

	Page 106	Page 108
1	A. No.	1 Dr. Akoda real quick, was the person who treated you
2	Q. Do you know if any of them have ever been	2 as Dr. Akoda the same man throughout the treatment?
3	committed [sic] of Social Security fraud other than	3 Did you recognize him to be the same person?
4	Dr. Akoda?	4 A. Yes.
5	A. No.	5 Q. Okay. And can you describe to me very
6	Q. Do you know if any of those doctors have	6 briefly what he looked like?
7	ever perjured themselves or lied in a court of law?	7 A. Tall, dark-skinned. He was bald-headed,
8	A. No.	8 slim.
9	Q. Do you know if any of them have ever been	9 Q. Did he speak with an accent?
10	sued for malpractice, any doctor you've ever gone to?	10 A. Yes.
11	A. No.	11 Q. And the person who delivered Jaiden is the
12	Q. You don't know one way or the other?	12 same person who did your prenatal care, Dr. Akoda?
13	A. No.	13 A. Correct.
14	MS. MCENROE: Let's take a quick break.	14 Q. I did have one other question for your
15	VIDEO SPECIALIST: We're going off the	15 counsel, just as a housekeeping matter.
16	record at 11:32.	16 MS. MCENROE: We've gotten some of the
17	(Proceedings recessed)	17 medical records like we had talked about yesterday
18	VIDEO SPECIALIST: We're back on the	18 that have some redactions on them, so I think we may
19	record at 11:42.	19 need to discuss or revisit -- we can do that off the
20	BY MS. MCENROE:	20 record afterwards.
21	[REDACTED]	21 MR. CERYES: Sure.
22	[REDACTED]	22 MS. MCENROE: But pending any resolution
23	[REDACTED]	23 of figuring out some of that medical record cleanup,
24	[REDACTED]	24 I have no further questions for today.
25	A. Yes.	25 MR. CERYES: Okay.
	Page 107	Page 109
1	[REDACTED]	1 EXAMINATION
2	[REDACTED]	2 BY MR. CERYES:
3	[REDACTED]	3 Q. And I do, just very briefly, have one or
4	A. Yes.	4 two for you.
5	[REDACTED]	5 A. Yes.
6	pregnant or you had had Jaiden already?	6 Q. You were -- you were asked by counsel some
7	A. I had Jaiden.	7 questions about how you came to be a patient of
8	Q. Okay. How old was Jaiden, do you know,	8 Akoda. Do you remember that?
9	when you got sued?	9 A. Yes.
10	A. He was a couple months old.	10 Q. Okay. And you explained that he -- it's
11	[REDACTED]	11 not -- he's not someone you picked from a list, but
12	[REDACTED]	12 rather you had been referred to him -- initially to
13	[REDACTED]	13 Chaudhry and then to Akoda, do you recall that?
14	[REDACTED]	14 MS. MCENROE: Objection to form, leading.
15	[REDACTED]	15 A. Yes.
16	[REDACTED]	16 Q. When you agreed to receive treatment from
17	[REDACTED]	17 Akoda, was it your assumption and belief that he had
18	[REDACTED]	18 gone through the appropriate and lawful process in
19	[REDACTED]	19 order to become a physician?
20	[REDACTED]	20 MS. MCENROE: Objection to form, leading.
21	[REDACTED]	21 A. Yes.
22	Q. Okay. Again, that was when Jaiden was	22 Q. Okay. And had you understood that he had
23	just a couple months old?	23 not gone through that lawful process to become a
24	A. Correct.	24 licensed physician, would you have agreed to receive
25	Q. Jumping back to your treatment by	25 treatment from him?

Page 110	Page 112
<p>1 MS. MCENROE: Objection to form, leading.</p> <p>2 A. Never.</p> <p>3 MR. CERYES: That's all I have.</p> <p>4 MS. MCENROE: Thank you.</p> <p>5 VIDEO SPECIALIST: That completes the</p> <p>6 deposition. We're going off the record at 11:45.</p> <p>7</p> <p>8 //</p> <p>9 (The deposition of ELSA POWELL adjourned</p> <p>10 at 11:45 a.m.)</p> <p>11 //</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 I, LINDA S. KINKADE, Registered Diplomate</p> <p>4 Reporter, Certified Realtime Reporter, Registered</p> <p>5 Merit Reporter, Certified Shorthand Reporter, and</p> <p>6 Notary Public, do hereby certify that prior to the</p> <p>7 commencement of examination the deponent herein was</p> <p>8 duly sworn by me to testify truthfully under penalty</p> <p>9 of perjury.</p> <p>10 I FURTHER CERTIFY that the foregoing is a true</p> <p>11 and accurate transcript of the proceedings as</p> <p>12 reported by me stenographically to the best of my</p> <p>13 ability.</p> <p>14 I FURTHER CERTIFY that I am neither counsel</p> <p>15 for nor related to nor employed by any of the parties</p> <p>16 to this case and have no interest, financial or</p> <p>17 otherwise, in its outcome.</p> <p>18 IN WITNESS WHEREOF, I have hereunto set my</p> <p>19 hand and affixed my notarial seal this 10th day of</p> <p>20 September, 2019.</p> <p>21 My commission expires: July 31, 2022</p> <p>22</p> <p>23</p> <hr/> <p>24 NOTARY PUBLIC IN AND FOR</p> <p>25 THE DISTRICT OF COLUMBIA</p>
Page 111	Page 113
<p>1 ACKNOWLEDGMENT OF DEPONENT</p> <p>2</p> <p>3 I, ELSA POWELL, do hereby acknowledge that</p> <p>4 I have read and examined the foregoing testimony and</p> <p>5 that the same is a true, correct and complete</p> <p>6 transcription of the testimony given by me, with the</p> <p>7 exception of the noted corrections, if any, appearing</p> <p>8 on the attached errata page(s).</p> <p>9</p> <hr/> <p>10 DATE ELSA POWELL</p> <p>11</p> <p>12</p> <p>13 Subscribed and sworn to before me this _____ day of</p> <p>14 _____, 20 _____. (Notary Public)</p> <p>15 _____</p> <p>16 My Commission expires: _____</p> <p>17</p> <p>18</p> <p>19</p> <p>20 [SEAL]</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 WITNESS ERRATA SHEET</p> <p>2 REF. NO. 225850 Page 1 of _____</p> <p>3 NAME OF CASE: Russell, et al. v. ECFMG</p> <p>4 DEPONENT: ELSA POWELL</p> <p>5 DATE OF DEPOSITION: September 6, 2019</p> <p>6 PLEASE INSERT REASON FOR CHANGE:</p> <p>7 1. To clarify the record.</p> <p>8 2. To conform to the facts.</p> <p>9 3. To correct a transcription error.</p> <p>10 Page Line Reason No.</p> <p>11 From _____ to _____</p> <p>12 Page Line Reason No. _____</p> <p>13 From _____ to _____</p> <p>14 Page Line Reason No.</p> <p>15 From _____ to _____</p> <p>16 Page Line Reason No.</p> <p>17 From _____ to _____</p> <p>18 Page Line Reason No.</p> <p>19 From _____ to _____</p> <p>20 Page Line Reason No.</p> <p>21 From _____ to _____</p> <p>22</p> <p>23 SIGNED: _____ DATE: _____</p> <p>24 (Signature of ELSA POWELL)</p> <p>25</p>